

	<p><b>Case:</b> CV-N-73-0128 <b>Docket #:</b> 354 <b>EOD:</b> <b>Date Filed:</b> 08/16/2000  <b>Type:</b> MOTION/DISPOSITIVE <b>Title:</b> DISMISS</p>
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\*CASECV-N-73-0128\*



\*DOC00178365\*

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
2 ZEH, SPOO & HEARNE  
3 575 Forest Street, Suite 200  
Reno, Nevada 89509  
4 Telephone: (775) 323-5700  
5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

AUG 16 2000  
CLERK

7  
8  
9 UNITED STATES DISTRICT COURT  
10  
11 DISTRICT OF NEVADA

\*\*\*

12 UNITED STATES OF AMERICA, )  
13 )  
14 Plaintiff, )  
15 WALKER RIVER PAIUTE TRIBE, )  
16 Plaintiff-Intervenor, )  
17 vs. )  
18 )  
19 WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al.; )  
20 )  
21 Defendants. )  
----- )  
22 MINERAL COUNTY, )  
23 Proposed-Plaintiff-Intervenor, )  
24 vs. )  
25 )  
26 WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al. )  
27 )  
28 )

In Equity No. C-125-ECR  
Subfile No. C-125-C

MOTION TO DISMISS  
AND SUBSTITUTE  
PROPER PARTIES

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

354

1 COMES NOW, Mineral County, Nevada and respectfully requests that the Court strike  
2 certain names from the caption and substitute the names as indicated in the following attachments.  
3

4 Further, Mineral County requests the right to further substitute names as will be  
5 determined by the service proceeding prior to October 31, 2000 when all further motions are due.  
6

7 For reasons discovered by Mineral County in attempting to further serve persons in Paragraph 3,  
8 some of them are no longer water rights holders. Therefore, until complete service is  
9 accomplished, more substitutions may be required.

10 **DISMISS**

11 1. Adams, Robert - Deceased

12 2. Alpers Ranch Co., Inc.

13 3. Annett's Mono Village

14 4. Arrache, Juan - Deceased

15 5. Batchelder, Fred C. - Alzheimer's  
16 Batchelder, Josephine S. - Deceased

17 6. Bayer, Albert - Deceased

18 7. Blades, Anna M. and Jerry L.

19 8. John R. Hargus and Adah M. Blinn  
20 Trust, John R. Hargus and Adah M.  
21 Blinn, Trustees

22 9. Bliss, Maurice & Agnes

23 10. Bromley Properties

24 11. Vernon F. Bryan, Inc.

10 **SUBSTITUTE**

11 No one. Only heir, Vivian, is already in  
12 caption.

13 Defunct corporation. Alpers, Fred E.,  
14 individually.

15 Annett's Mono Village, Inc.

16 Arrache Family Trust, Ronald B.  
17 Arrache, Trustee - see attached Affidavit.

18 Josephine S. and Fred C. Batchelder 1983  
19 Family Trust, Connie B. Jansen and  
20 Leonard Batchelder, Trustees

21 Bayer, Mildred - heir to Albert Bayer

22 Bein, Richard and Ellen

23 John R. Hargus and Adah M. Blinn  
24 Trust, Robert Lewis Cooper, Successor  
25 Trustee

26 Janet Bliss Hunewill and Stanley L.  
27 Hunewill - Already in caption

28 Thomas J. Bromley and Muriel L. Bromley

Vernon F. Bryan, irdivually

1	12.	Casey, Michael A. and Claudia C.	
2	13.	Cutler, Diane A.	Walker River Land Corp. - see attached Affidavit
3	14.	Day, Charles E. and Lucille M.	William M. Weaver, Jr. Revocable Trust, William M. Weaver, Jr. and Rosemary F. Weaver, Trustees
4	15.	Del Porto, Iginia	Iginia M. Moreda
5	16.	Fitz, George O.	Stockton, Edward and Linda A. - already on caption
6	17.	Friedhoff, George - Deceased	Helen Friedhoff, only heir, already on caption
7	18.	Don R. Gable Trust	Don R. Gable, individually
8	19.	Giodo, Virginia - Deceased	Joseph Giodo and Anna Nannini, heirs, already on caption
9	20.	Hunewill, Harvey Hunewill, Phyllis	Harvey E. Hunewill and Phyllis P. Hunewill Trust, Harvey E. Hunewill and Phyllis P. Hunewill, Trustees
10	21.	Jenkins, Joyce - Deceased	Jenkins, Larry D., heir to Joyce, on caption already - see attached Affidavit
11	22.	Junction Range	Arnold Settemeyer Bentley Family Ltd. Partnership
12	23.	L.T.R. Enterprises	Gary D. Morgan and Marianne Morgan Vincent Dye and Kathleen Dye
13	24.	Linscott, George & Louise - Deceased	Jean Pace, Administrator
14	25.	Menesini, Lucinda - Deceased	Menesini, Donald, heir to Lucinda, already on caption
15	26.	Minister, Rose Alice, individually	Bolton-Rose Trust, Rose Alice Minister, Trustee
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1	27.	Moore, Monica R. and Anthony P.	Alfred and Joy L. Palmer, already on caption
2	28.	Nagel, Helen - Deceased	Nagel, Diane
3	29.	Guido Nannini - Deceased	Nannini, Anna, already on caption
4	30.	Olson, Robert D.	Curtis & Sons Construction, Inc.
5	31.	Peeples, Josiah - Deceased	Peeples, Norma, heir, already on caption
6	32.	Pellegrini, Violet Fern	Margaret I. Mench, Ila Mae ___nkhauer, Cherryl A. Del Porto (Cherryl already in caption)
7	33.	Perriseau, Modesta	Haas, Pamela - see attached Affidavit
8	34.	Riva, Herbert R. - Deceased	Anne M. Riva, heir, already on caption
9	35.	Sario Livestock Company	O. Kyle Vaughan and Leoma Vaughan
10	36.	Sceirine, Jackie - Deceased	Sceirine, Beverly, heir
11	37.	Silva, Gary and Tildean	Sunrise Ranch LLC
12	38.	Snyder, T.F.	See attached Affidavit
13	39.	Stone, William - Deceased	See attached Affidavit.
14	40.	Swainston, George & Dorothy, individually	Swainston Family Trust, George and Dorothy Swainston, Trustees
15	41.	Virginia Creek Hydro, Inc.	The Trust for Public Land
16	42.	Wedertz, Gilbert C.	See attached Affidavit.
17	43.	Williams, Jack H. and Evangeline A.	Williams Revocable Living Trust, Jack H. and Evangeline A. Williams, Trustees
18	44.	Wright, Glenora F., individually	The Lee and Glenora Wright Family Trust, Lee C. Wright III and Glenora F. Wright, Trustees
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23			
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28			

45. Zweibel, A.J. & A.E. Frade Ranches, Inc.  
Sharon Springer, Sandra Hollands  
Susan Ellsworth

Please see attached documents as explanation for all substitutions and dismissals.

DATED this 8<sup>th</sup> day of August, 2000.

ZEH, SPOO & HEARNE

BY

TRÉVAIL HEARNE ESO

JAMES SPOO ESO

Attorneys for Mineral County

S:\Carol\EE\Mineral\P-Motions, Subs & Dismissals

**AFFIDAVIT OF TREVA J. HEARNE**

STATE OF NEVADA )  
 ) ss:  
COUNTY OF WASHOE )

Treva J. Hearne swears and affirms under the penalty of perjury as follows:

1. I am an attorney licensed in the State of Nevada and presently a partner in the law firm  
of Zeh, Spoo & Hearne.

9       2.     For over five years I have been representing Mineral County and attempting to  
10 complete service as directed by the Court on the holders of water rights in the Walker River.

3. At the beginning of this effort, the records of Lyon and Douglas County were reviewed to determine who owned water rights in the Walker River

4. I personally reviewed the records of Lyon County again, pursuant to the Court's direction and pursuant to that search state the following:

a. I searched the files for the name Arrache in Lyon County at the Recorder's Office and found no documents in the name of Arrache as spelled Arrache and therefore have no proof other than statements by Ronald B. Arrache that he is the trustee of the Arrache Family Trust and that the Trust owns water rights that formerly belonged to his father Juan Arrache who is now deceased.

b. I believe, based upon conversations with Diane Cutler, that she conveyed her water rights to the Walker River Land Corp. I have found no evidence to support that.

c. I searched the record for Joyce Jenkins and found nothing indicating she holds any property in her name in Lyon County.

27 d. I believe, based upon conversations with Modesta Perriseau, that she  
28 conveyed her water rights to Pamela Haas. I have found no evidence to support that

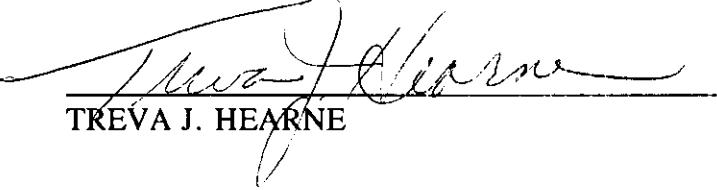
1                   e.     When I entered the name T.F. Snyder, in the Lyon County records, the  
2 reference only showed Theresa, whom I believe to be the same.  
3

4                   f.     The record shows that Michael and Claudia Casey conveyed their water  
5 right to William Stone and that William Stone's water right reverted to the District by resolution.  
6

7                   g.     The only document I located regarding Gilbert Wedertz was a conveyance  
8 by a Martha Burke Wedertz, with no mention of Gilbert, and no mention of water rights and I  
9 found nothing else in the name Wedertz, indicating he has no water rights.  
10

11                  FURTHER AFFIANT SAYETH NAUGHT.

12                  DATED this 8<sup>th</sup> day of August, 2000.

13                    
14                  TREVA J. HEARNE

15                  SUBSCRIBED and SWORN to before  
16 me this 8<sup>th</sup> day of August, 2000,  
17 by Treva J. Hearne.  
18                    
19                  NOTARY PUBLIC



20                  S:\Carole\Mineral\P-Affidavit1.Treva

**ADAMS**

Ms. Vivian Adams  
Heir to Robert Adams  
July 26, 2000  
Page 2

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Thank you in advance for your anticipated cooperation with this matter. If you should have any questions or comments, please do not hesitate to contact either myself or my secretary, Carol, at (775) 323-5700.

Sincerely yours,

ZEH, SPOO & HEARNE

  
TREVA L HEARNE

TJH/ce

I, Vivian Adams, am the sole heir to Mr. Robert Adams and his water rights did revert to me, as the sole heir to Mr. Robert Adams.

Dated: July 25, 2000

  
VIVIAN ADAMS

S:\CarolE\Mineral\L-Adams.Vivian

TYPE, OR PRINT IN  
PERMANENT INK  
SEE HANDBOOK FOR  
INSTRUCTIONS

STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES  
ROLL 41 IMAGE 797 DIVISION OF VITAL RECORDS AND VITAL STATISTICS  
CERTIFICATE OF DEATH

STATE FILE NUMBER

433

DECEASED — NAME		FIRST	MIDDLE	LAST	SEX	DATE OF DEATH (MONTH, DAY, YEAR)	
1. Robert		Taylor	ADAMS	? Male		3 April 12, 1977	
RACE WHITE, NEGRO, AMERICAN INDIAN, ETC. (SPECIFY)		AGE — LAST BIRTHDAY (YEARS)	UNDER 1 YEAR MOS. DAYS	UNDER 1 DAY HOURS MIN.	DATE OF BIRTH (MONTH, DAY, YEAR)	COUNTY OF DEATH	
White		50 66	56	56	6 June 3, 1910	7a Washoe	
CITY, TOWN, OR LOCATION OF DEATH		INSIDE CITY LIMITS (SPECIFY YES OR NO)		HOSPITAL OR OTHER INSTITUTION — NAME (IF NOT IN EITHER, GIVE STREET AND NUMBER)			
7b Reno		7c Yes		7d Washoe Medical Center			
STATE OF BIRTH (IF NOT IN U.S.A., NAME COUNTRY)		CITIZEN OF WHAT COUNTRY		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY)		SURVIVING SPOUSE (IF WIFE, GIVE MAIDEN NAME)	
8. Iowa		U.S.A.		10. Married		11 Vivian Pellecchia	
SOCIAL SECURITY NUMBER		USUAL OCCUPATION (GIVE KIND OF WORK DONE DURING MOST OF WORKING LIFE, EVEN IF RETIRED)			KIND OF BUSINESS OR INDUSTRY		
12. 530 03 3130		13a Attorney			13b Law		
RESIDENCE — STATE	COUNTY	CITY, TOWN, OR LOCATION		14c	INSIDE CITY LIMITS (SPECIFY YES OR NO)	STREET AND NUMBER	
14a Nevada	14b Washoe	14c Reno		14d yes	14e	14f 877 Brown Street	
FATHER — NAME	FIRST	MIDDLE	LAST	MOTHER — MAIDEN NAME	FIRST	MIDDLE	
15. Burton			Adams	16. Maybelle		Dicken	
INFORMANT — NAME	MAILING ADDRESS			STREET OR R.F.D. NO., CITY OR TOWN, STATE, ZIP			
17a. Vivian P. Adams	17b. 877 Brown St.			17c. Reno, Nevada 89509			
PART I. DEATH WAS CAUSED BY:		(ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c))					
18. IMMEDIATE CAUSE							
(a) Due to, or as a consequence of:  CONDITIONS, IF ANY, WHICH GAVE RISE TO IMMEDIATE CAUSE (a), STATING THE UNDERLYING CAUSE LAST		Shock & Septicemia					
(b) Due to, or as a consequence of:  CONDITIONS, IF ANY, WHICH GAVE RISE TO IMMEDIATE CAUSE (a), STATING THE UNDERLYING CAUSE LAST		Postoperative Reperfusion A-V fistula from Tissue Artery to Inferior Vena Cava					
(c) Due to, or as a consequence of:  CONDITIONS, IF ANY, WHICH GAVE RISE TO IMMEDIATE CAUSE (a), STATING THE UNDERLYING CAUSE LAST							
PART II. OTHER SIGNIFICANT CONDITIONS: CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN PART I (g)					AUTOPSY (YES OR NO)	IF YES, WERE FIND SIDERED IN DETERMIN OF DEATH 19a No	
ACCIDENT, SUICIDE, HOMICIDE, OR UNDETERMINED (SPECIFY)	DATE OF INJURY (MONTH, DAY, YEAR)	HOUR	HOW INJURY OCCURRED (ENTER NATURE OF INJURY IN PART I OR PART II, IF APPLICABLE)				
20a.	20b.	20c.	20d. M 20d				
INJURY AT WORK (SPECIFY YES OR NO)	PLACE OF INJURY AT HOME, FARM, STREET, FACTORY, OFFICE BLDG., ETC. (SPECIFY)	LOCATION	(STREET OR R.F.D. NO., CITY OR TOWN, STATE)				
20e.	20f.	20g.					
CERTIFICATION — PHYSICIAN:	MONTH	DAY	YEAR	MONTH	DAY	YEAR	
21a. I ATTENDED THE DECEASED FROM	7	30	76	TO	4	12	77
21b.	21c.	21d.	21e.	21f.	21g.	21h.	
CERTIFICATION — MEDICAL EXAMINER OR CORONER: ON THE BASIS OF THE EXAMINATION OF THE BODY AND/OR THE INVESTIGATION, IN MY OPINION, DEATH OCCURRED ON THE DATE AND DUE TO THE CAUSES STATED.		HOUR OF DEATH		THE DECEASED WAS PROPHOUNDED DEAD			
22a.	22b.	22c.	22d.	22e.	22f.	22g.	
CERTIFIER — NAME (TYPE OR PRINT)	SIGNATURE			DEGREE OR TITLE			DATE SIGNED (MONTH, DAY, YEAR)
23a. Paul S. Clark MD	23b.	23c. Paul S. Clark MD	23d.	23e.	23f.	23g.	23h. 4/13/77
MAILING ADDRESS — CERTIFIER	STREET OR R.F.D. NO.			CITY OR TOWN			STATE
23i.	23j.	23k.	23l.	23m.	23n.	23o.	23p.
BURIAL, CREMATION, REMOVAL (SPECIFY)	CEMETERY OR CREMATORIUM — NAME			LOCATION			
24a. Cremation	24b. Masonic	24c. Reno	24d. Nev.				
DATE (MONTH, DAY, YEAR)	FUNERAL HOME — NAME AND ADDRESS			STREET OR R.F.D. NO., CITY OR TOWN, STATE, ZIP			
24e. April 14, 1977	24f. Ross, Burke and Krobel Mortuary	24g. 2155 Kietzke Ln.	24h. Reno	24i. Nev.			
FUNERAL DIRECTOR — SIGNATURE	RECEIVER — SIGNATURE			DATE RECEIVED BY LOCAL REGISTRAR			
25a. Linda Williamson	25b. Linda Williamson	25c. Dep. Reg.	25d. April 14, 1977	25e.	25f.	25g.	25h.

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
2 ZEH, POLAHA, SPOO, HEARNE & PICKER  
3 575 Forest Street, Suite 200  
Reno, Nevada 89509  
4 Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7

8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )

13 Plaintiff, )

14 WALKER RIVER PAIUTE TRIBE, )

15 Plaintiff-Intervenor, )

16 vs. )

17 WALKER RIVER IRRIGATION DISTRICT, )  
18 a corporation, et al.; )

19 Defendants. )

20 ----- )  
21 MINERAL COUNTY, )

22 Proposed-Plaintiff-Intervenor, )

23 vs. )

24 WALKER RIVER IRRIGATION DISTRICT, )  
25 a corporation, et al. )

26 In Equity No. C-125-ECR  
Subfile No. C-125-C

27 RETURN OF SERVICE

28 I Kenneth Rele, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Polaha, Spoo, Hearne & Picker  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (702) 323-5700 FAX: (702) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: Vivian Atkins (Print name of person served)

4 of: Heir to Robert Atkins (Title and company where applicable)

5 on: May 4, 1999 (Date of service)

6 at: 4:00 P.M. (Time of service)

7 at the following place:

8 877 Brown St., Reno, NV (Address or location)

9 in the following manner:

10  served personally

11  left copies

12  unable to execute service (why) \_\_\_\_\_  
13 \_\_\_\_\_

14  other (specify) \_\_\_\_\_  
15 \_\_\_\_\_

16 Remarks: \_\_\_\_\_  
17 \_\_\_\_\_

18 I declare under penalty of perjury under the laws of the United States of America that the  
19 foregoing information in this Return of Service is true and correct.  
20 \_\_\_\_\_ J.P. \_\_\_\_\_  
21 \_\_\_\_\_

22 Date 5-4-99

23 Signature of Server

24 333 Marsh Ave.

25 Reno, NV 89509

26 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14  
27  
28

**ALPERS**

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 **ZEH, SPOO & HEARNE**  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
5 Telephone: (702) 323-5700

6 Attorneys for Intervenor,  
7 MINERAL COUNTY NEVADA

8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )

13 Plaintiff, )

14 WALKER RIVER PAIUTE TRIBE, )

In Equity No. C-125-ECR  
Subfile No. C-125-C

15 Plaintiff-Intervenor, )  
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17 vs. )  
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19 WALKER RIVER IRRIGATION DISTRICT, )  
20 a corporation, et al.; )  
21 Defendants. )  
22 ----- )  
23 MINERAL COUNTY, )  
24 Proposed-Plaintiff-Intervenor, )  
25 vs. )  
26 WALKER RIVER IRRIGATION DISTRICT, )  
27 a corporation, et al. )  
28

I LINDY DURAN, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: FRED ALPERS (Print name of person served)

4 of: \_\_\_\_\_ (Title and company where applicable)

5 on: 7-22-99 (Date of service)

6 at: 7:35 p.m. (Time of service)

7 at the following place:

8 192 HUDSON AURORA RD. (Address or location)

9 in the following manner:

10  served personally

11  left copies

12  unable to execute service (why) \_\_\_\_\_  
13 \_\_\_\_\_

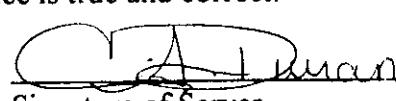
14  other (specify) \_\_\_\_\_  
15 \_\_\_\_\_

16 Remarks: \_\_\_\_\_  
17 \_\_\_\_\_

18 I declare under penalty of perjury under the laws of the United States of America that the  
19 foregoing information in this Return of Service is true and correct.  
20

21 7-23-99

22 Date

  
Signature of Server

23 575 FOREST ST. SUITE 200

24 RENO, NV 89509

25 (Address of Server) C:\MyFiles\CLIENTS\MineraNP-Return.J14  
26  
27  
28

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS  
OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO

✓ NAME Fred E. Alpers  
STREET 4827 E. Sutro Terrace  
ADDRESS Carson City, NV 89706  
CITY  
STATE  
ZIP

Title Order No \_\_\_\_\_ Escrow No \_\_\_\_\_

RPTT None, Water Only

SPACE ABOVE THIS LINE FOR RECORDER'S USE \_\_\_\_\_

## QUITCLAIM DEED

DOCUMENTARY TRANSFER TAX \$ 19.50

- computed on full value of property conveyed, or  
 computed on full value less value of liens and  
encumbrances remaining at the time of sale.

Signature of Declarant or Agent Determining Tax

Firm Name

John A. Gorham, II & Rosamond A. Gorham, Trustees of the

John A. Gorham, II & Rosamond A. Gorham Revocable Trust

the undersigned grantor(s), for a valuable consideration, receipt of which is hereby acknowledged, do hereby remise,

release and forever quitclaim to Fred E. Alpers and/or Barbara L. Alpers

the following described real property in the ~~City of~~

County of Lyon . State of ~~Nevada~~ Nevada

All rights and ownership in the Nevada State Division of Water Resources Permit #57854 granted 11/20/92 for the diversion and use of underground waters not to exceed 0.2972 cubic feet per second, but not to exceed 99.52 acre-feet per season, and not to exceed a seasonal duty of 4 acre-feet per acre of land irrigated from any and/or all sources, this being a portion of Permit #16440, Cert. #4898 granted July 17, 1959.

Assessor's parcel No. N/A

Executed on December 9<sup>th</sup>, 1992, at Bishop, California

John A. Gorham II, Trustee  
JOHN A. GORHAM II  
Rosamond A. Gorham, Trustee  
ROSAMOND A. GORHAM

STATE OF CALIFORNIA

COUNTY OF INYO

On this 9 day of DEC., in the year 92, before me

the undersigned, a Notary Public in and for said State, personally appeared

JOHN A. GORHAM, II and  
ROSAMOND A. GORHAM

} ss.

personally known to me (or proved to

**ANNETT'S MONO  
VILLAGE, INC.**

\*\*\*THIS DATA IS FOR INFORMATION PURPOSES ONLY. CERTIFICATION CAN ONLY BE OBTAINED THROUGH THE OFFICE OF THE NEVADA SECRETARY OF STATE. \*\*\*

NEVADA SECRETARY OF STATE, CORPORATE RECORD

NAME: ANNETT'S MONO VILLAGE, INC.

TYPE OF CORPORATION: REGULAR(DOMESTIC PROFIT)

CORPORATE STATUS: IN GOOD STANDING

DURATION: PERPETUAL

DATE OF INCORPORATION/QUALIFICATION: 07/14/1966

STATE- INCORP: NEVADA

REGISTERED AGENT: WALther, KEY, MAUPIN, OATS, COX,

STATUS: ACCEPTED 09/29/1997

NUMBER OF COMPANIES REPRESENTED BY REGISTERED AGENT: 207

NUMBER OF COMPANIES REPRESENTED BY REGISTERED AGENT IN GOOD STANDING: 185

REGISTERED OFFICE: KLAICH, & LEGOY  
3500 LAKESIDE CT. STE 200  
RENO, NV 89509

PURPOSE: ALL LEGAL ACTIVITIES

CAPITAL/STOCK:

CAPITAL:	\$1,000,000
PAR SHARES:	100,000
PAR VALUE:	\$10.000

ANNUAL-REPORT:

LAST REPORT:	ANNUAL LIST OF OFFICERS
LAST REPORT FILED ON:	08/14/1999
ENDING YEAR:	2000
MORE OFFICERS ON LIST	

PRESIDENT: ALPHA D. ANNETT  
BOX 963  
BRIDGEPORT, CA 93517

STATUS: ADDED 11/30/1976

SECRETARY: KELLIE J. ANNETT  
BOX 221  
BRIDGEPORT, CA 93517

STATUS: ADDED 11/30/1976

TREASURER: KELLIE J. ANNETT  
BOX 221  
BRIDGEPORT, CA 96517

STATUS: ADDED 11/30/1976

CORPORATION NUMBER: 1162-1966

CALL LEXIS DOCUMENT SERVICES FOR ALL YOUR CORPORATE NEEDS. 800-634-9738

**ARRACHE FAMILY  
TRUST**

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SPOO, HEARNE & PICKER  
4 575 Forest Street, Suite 200  
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6 Attorneys for Intervenor,  
MINERAL COUNTY NEVADA

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8  
9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12  
13 UNITED STATES OF AMERICA, )  
14 Plaintiff, ) In Equity No. C-125-ECR  
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16 WALKER RIVER PAIUTE TRIBE, )  
17 Plaintiff-Intervenor, ) WAIVER OF PERSONAL  
18 vs. ) SERVICE OF MOTIONS  
19 WALKER RIVER IRRIGATION DISTRICT, )  
20 a corporation, et al.; )  
21 Defendants. )  
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23 MINERAL COUNTY, )  
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28 a corporation, et al. )

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Tel.: (775) 323-5700 FAX: (775) 786-8183

E-62

1 TO: ZEH, SPOO, HEARNE & PICKER, attorneys for proposed Plaintiff/Intervenor,  
2 Mineral County, Nevada

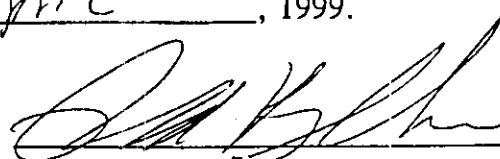
3 I acknowledge receipt of your request that I waive personal service of the  
4 documents involving the motion to intervene of Mineral County, Nevada, in the action of  
5 United States of America, *Plaintiff v. Walker River Irrigation District, et al.*, Defendants,  
6 which is Case No. C-125, Subfile No. C-125-C, in the United States District Court for the  
7 District of Nevada. I have also received a copy of the motion to intervene of Mineral  
8 County, the proposed complaint-in-intervention of Mineral County, the motion for  
9 preliminary injunction of Mineral County, and the Order Requiring Service of and  
10 Establishing Briefing Schedule Regarding the Motion to Intervene of Mineral County.  
11 along with two copies of this Waiver. I have also received a means by which I can return  
12 this signed waiver to you without cost to me.

13 I agree to save the cost of personal service of the documents, as above-described,  
14 by not requiring that I (or the entity on whose behalf I am acting) be served with judicial  
15 process in the manner provided by Federal Rules of Civil Procedure, Rule 4. I (or the  
16 entity on whose behalf I am acting) will retain all defenses or objections to this matter or  
17 to the jurisdiction or venue of the Court except for objections based on a defect, if any, in  
18 the manner in which these documents have been provided to me.

19 I understand, that if I (or the entity on whose behalf I am acting) do not appear and  
20 respond to the motion to intervene, by August 23, 1999, and if the Court enters further  
21 orders with respect to answers or other responses to the proposed complaint-in-intervention  
22 or responses to the Motion for Preliminary Injunction, that I (or the entity on whose behalf

1 I am acting) shall nevertheless be deemed to have notice of those subsequent orders of the  
2 Court.

3 DATED this 26 day of April, 1999.



6 (Signature)

7 *Ronald B. Arrache Trustee*  
8 Juan Arrache, Heir to Juan Arrache and Trustee  
9 (Printed name and title, if any)

10  
11 Arrache Family Trust  
12 (Company or entity, if any)

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**JOSEPHINE S. AND FRED C.  
BATCHELDER 1983  
FAMILY TRUST**

June 5, 1999

2170 Tamarisk Drive  
Reno, NV 89502

Treva Hearne  
Zeh, Spoo & Hearne  
575 Forest Street  
Reno, Nevada 89509

Re: Mineral County, Waiver of personal service of documents

Dear Ms. Hearne:

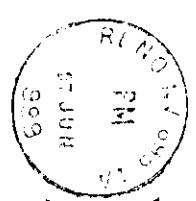
You recently wrote to me inquiring about the heirs to Josephine Batchelder and her water rights. The water rights and the property they apply to have been held in the Josephine S. and Fred C. Batchelder 1983 Family Trust since 1983. At Josephine's death, the rights remained in the trust. Currently, my father, Fred C. Batchelder, age 82, has Alzheimer's and is living in a nursing home. My brother, Leonard Batchelder, and myself have succeeded my father as trustees to the family trust until his death. Unfortunately, I suppose all legal matters should be forwarded to me.

Sincerely,

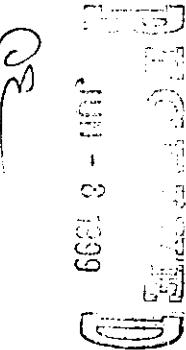


Connie B. Jansen

Connie B. Jansen  
Gary P. Jansen  
2170 Tamarisk Dr.  
Reno, NV 89502



Theatheranne  
Jerry, Jeannie & Pleasant  
575 - Forest Street  
Reno, NV 89509



8330341601

RENO, NV 89509

Batchelder Josephine & Fred C. Batchelder 1983  
Family Law

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SPOO & HEARNE  
4 575 Forest Street, Suite 200  
Reno, Nevada 89509  
Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7

8

9

UNITED STATES DISTRICT COURT

10

DISTRICT OF NEVADA

11

\* \* \*

12

UNITED STATES OF AMERICA, )

13

Plaintiff, )

14

In Equity No. C-125-ECR  
Subfile No. C-125-C

15

WALKER RIVER PAIUTE TRIBE, )

16

Plaintiff-Intervenor, )

17

vs. )

18

WALKER RIVER IRRIGATION DISTRICT, )

19

a corporation, et al.; )

20

Defendants. )

21

----- )

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MINERAL COUNTY, )

23

Proposed-Plaintiff-Intervenor, )

24

vs. )

25

WALKER RIVER IRRIGATION DISTRICT, )

26

a corporation, et al. )

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28

I Claire Marquis, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, SPOO & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (702) 323-5700 FAX: (702) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

2 Lieu of Summons

3 upon: Connie Jansen - trustee  
4 (Print name of person served)

of: Josephine & Fred C. Batchelder 1983 Family TRUST  
5 (Title and company where applicable)

6 on: 6/14/99 (Date of service)

7 at: 9:25 am (Time of service)

8 at the following place:

9 \_\_\_\_\_ (Address or location)

10 in the following manner:

11  served personally

12  left copies

13  unable to execute service (why) \_\_\_\_\_

14  other (specify) \_\_\_\_\_

15 Remarks: \_\_\_\_\_

16 I declare under penalty of perjury under the laws of the United States of America that the

17 foregoing information in this Return of Service is true and correct.

18 Date 6/14/99

19 Signature of Server

20 Chambers

21 575 Forest St., Suite 201

22 KENO, NV 84501

23 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

**BAYER**

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 **ZEH, SPOO, HEARNE & PICKER**  
4 575 Forest Street, Suite 200  
Reno, Nevada 89509  
Telephone: (775) 323-5700

5  
6 Attorneys for Intervenor,  
MINERAL COUNTY NEVADA

7  
8  
9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 \* \* \*

12  
13 UNITED STATES OF AMERICA, )  
14 Plaintiff, )  
15 WALKER RIVER PAIUTE TRIBE, )  
16 Plaintiff-Intervenor, )  
17 vs. )  
18 WALKER RIVER IRRIGATION DISTRICT, )  
19 a corporation, et al.; )  
20 Defendants. )  
21 ----- )  
22 )  
23 MINERAL COUNTY, )  
24 Proposed-Plaintiff-Intervenor, )  
25 vs. )  
26 WALKER RIVER IRRIGATION DISTRICT, )  
27 a corporation, et al. )  
28 ----- )

In Equity No. C-125-ECR  
Subfile No. C-125-C

**WAIVER OF PERSONAL  
SERVICE OF MOTIONS**

Zeh, Spoo, Hearne & Picker  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 TO: ZEH, SPOO, HEARNE & PICKER, attorneys for proposed Plaintiff/Intervenor,  
2 Mineral County, Nevada

3 I acknowledge receipt of your request that I waive personal service of the  
4 documents involving the motion to intervene of Mineral County, Nevada, in the action of  
5 United States of America, *Plaintiff v. Walker River Irrigation District, et al.*, Defendants,  
6 which is Case No. C-125, Subfile No. C-125-C, in the United States District Court for the  
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10 Establishing Briefing Schedule Regarding the Motion to Intervene of Mineral County,  
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20 respond to the motion to intervene, by August 23, 1999, and if the Court enters further  
21 orders with respect to answers or other responses to the proposed complaint-in-intervention  
22 or responses to the Motion for Preliminary Injunction, that I (or the entity on whose behalf

1 I am acting) shall nevertheless be deemed to have notice of those subsequent orders of the  
2 Court.

3 DATED this 30 day of April, 1999.  
4

5 Mildred Bayer  
6 (Signature)  
7

8 Mildred Bayer MILDRED BAYER  
9 (Printed name and title, if any)

10  
11 Heir to Albert Bayer  
12 (Company or entity, if any)

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# COUNTY OF SONOMA

SANTA ROSA, CALIFORNIA

**CERTIFICATE OF DEATH**

**STATE OF CALIFORNIA  
USE BLACK INK ONLY**

49-001909

STATE FILE NUMBER		USE BLACK INK ONLY				LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER							
DECEDENT PERSONAL DATA	1A. NAME OF DECEDENT—FIRST (GIVEN)		1B. MIDDLE		1C. LAST (FAMILY)		2A. DATE OF DEATH—MO. DAY, YR		3. SEX				
	Albert		M.		Bayer		July 22, 1992		M				
	4. RACE		5. HISPANIC—SPECIFY		6. DATE OF BIRTH—MO. DAY, YR		7. AGE IN YEARS		IF UNDER 1 YEAR IF UNDER 24 HOURS				
	White		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		Feb. 3, 1898		94		MONTHS DAYS HOURS MINUTES				
	8. STATE OF BIRTH		9. CITIZEN OF WHAT COUNTRY		10A. FULL NAME OF FATHER		10B. STATE OF BIRTH		11A. FULL MAIDEN NAME OF MOTHER		11B. STATE OF BIRTH		
	Yugoslv		U.S.A.		Franze Bahovec		Yugoslv		Gertrude Bertic		Yugoslv		
	12. MILITARY SERVICE?		13. SOCIAL SECURITY NO.		14. MARITAL STATUS		15. NAME OF SURVIVING SPOUSE (IF WIFE, ENTER MAIDEN NAME)						
	19 TO 19 <input checked="" type="checkbox"/> NONE		545-07-8844		Married		Mildred C. Choate						
	16A. USUAL OCCUPATION		16B. USUAL KIND OF BUSINESS OR INDUSTRY		16C. USUAL EMPLOYER		16D. YEARS IN OCCUPATION		17. EDUCATION—YEARS COMPLETED				
	Owner		Auto-Electric		Self		55		12				
USUAL RESIDENCE	18A. RESIDENCE—STREET AND NUMBER OR LOCATION				18B. CITY				18C. ZIP CODE				
	179 Pas Pajaros Calle				Sonoma				95476				
	18D. COUNTY		18E. NUMBER OF YEARS IN THIS COUNTY		18F. STATE OR FOREIGN COUNTRY		20. NAME, RELATIONSHIP, MAILING ADDRESS AND ZIP CODE OF INFORMANT						
Sonoma		25		CA		Mildred Bayer-wife							
PLACE OF DEATH	19A. PLACE OF DEATH		19B. IF HOSPITAL, SPECIFY ONE: IP, ER/OP, DOA		19C. COUNTY		19D. STREET ADDRESS—STREET AND NUMBER OR LOCATION				19E. CITY		
	Residence		-		Sonoma		179 Pas Pajaros Calle				Sonoma, Ca, 95476		
	21. DEATH WAS CAUSED BY: (ENTER ONLY ONE CAUSE PER LINE FOR A, B, AND C)				TIME INTERVAL BETWEEN ONSET AND DEATH				22. WAS DEATH REPORTED TO CORONER? REFERRAL NUMBER				
CAUSE OF DEATH	IMMEDIATE CAUSE (A)		<i>Cerebral embolism over</i>		► p: n/s		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				23. WAS BIOPSY PERFORMED?		
	DUE TO (B)		<i>Arterios clastic vascular disease</i>		► much		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				24A. WAS AUTOPSY PERFORMED?		
	DUE TO (C)				►		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				24B. WAS IT USED IN DETERMINING CAUSE OF DEATH?		
25. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN 21				26. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 21 OR 25? (IF YES, LIST TYPE OF OPERATION AND DATE)									
PHYSICIAN'S CERTIFICATION	I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED.				27B. SIGNATURE AND DEGREE OR TITLE OF CERTIFIER				27C. CERTIFIER'S LICENSE NUMBER		27D. DATE SIGNED		
	27A. DECEDENT ATTENDED SINCE DECEDENT LAST SEEN ALIVE MONTH, DAY, YEAR		1/24/74 6/29/92		<i>Robert Koida MD</i>				6-20-1994		7/22/92		
	27E. TYPE ATTENDING PHYSICIAN'S NAME AND ADDRESS				Dr. Robert Koida, 181 Andrieux, Sonoma, CA								
CORONER'S USE ONLY	I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED.				28A. SIGNATURE AND TITLE OF CORONER OR DEPUTY CORONER				28B. DATE SIGNED				
	29. MANNER OF DEATH—Specify one: natural, accident, suicide, homicide, pending investigation or could not be determined				30A. PLACE OF INJURY				30B. INJURY AT WORK		31. HOUR MONTH, DAY, YEAR		
	32. LOCATION (STREET AND NUMBER OR LOCATION AND CITY)				33. DESCRIBE HOW INJURY OCCURRED (EVENTS WHICH RESULTED IN INJURY)				<input type="checkbox"/> YES <input type="checkbox"/> NO				
FUNERAL DIRECTOR AND LOCAL REGISTRAR	34A. DISPOSITION(S)		34B. PLACE OF FINAL DISPOSITION—NAME AND ADDRESS		34C. DATE MO. DAY, YEAR		35A. SIGNATURE OF EMBALMER		35B. LICENSE NUMBER				
	CR/SEA		At Sea Off Marin County Coast		7/24/92		Not Embalmed		-				
	36A. NAME OF FUNERAL DIRECTOR (OR PERSON ACTING AS SUCH)		36B. LICENSE NO.		37. SIGNATURE OF LOCAL REGISTRAR		38. REGISTRATION DATE						
Neptune Society Santa Rosa		F1334		<i>Doris R Flores MSA</i>		JUL 24 1992							
STATE REGISTRAR	A.	B.	C.	D.	E.	F.	CENSUS TRACT						

**MAKE NO ERASURES, WHITEOUTS OR OTHER ALTERATIONS.**

CERTIFIED COPY OF VITAL RECORDS

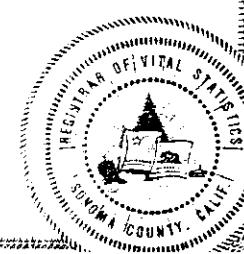
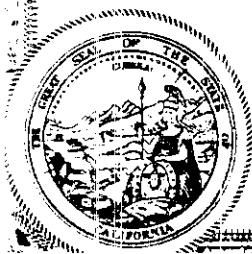
STATE OF CALIFORNIA }  
COUNTY OF SONOMA }

DATE ISSUED

III 23 1992

This is a true and exact reproduction of the document officially registered and placed on file in the Vital Records Section, Sonoma County Public Health Department.

LOCAL REGISTRATION



Ms. Mildred Bayer

Heir to Albert Bayer

July 26, 2000

Page 2

---

Thank you in advance for your anticipated cooperation with this matter. If you should have any questions or comments, please do not hesitate to contact either myself or my secretary, Carol, at (775) 323-5700.

Sincerely yours,

ZEH, SPOO & HEARNE

  
TREVA J. HEARNE

TJH/ce

I, Mildred Bayer, am the sole heir to Mr. Albert Bayer and his water rights did revert to me, as the sole heir to Mr. Albert Bayer.

Dated: July 29, 2000

  
MILDRED BAYER

S:\CarolE\Mineral\L-Bayer.Mildred

Richard and Ellen Bein

July 26, 2000

Page 2

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Thank you in advance for your anticipated cooperation with this matter. If you should have any questions or comments, please do not hesitate to contact either myself or my secretary, Carol, at (775) 323-5700.

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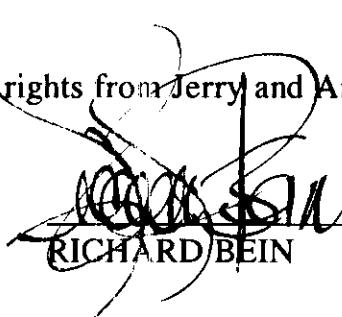
ZEH, SPOO & HEARNE

  
TREVA J. HEARNE

TJH/ce

I, Richard Bein, purchased the water rights from Jerry and Anna Blades and am now the water rights owner.

Dated: July 28, 2000

  
RICHARD BEIN

I, Ellen Bein, purchased the water rights from Jerry and Anna Blades and am now the water rights owner.

Dated: July 28, 2000

  
ELLEN BEIN

S:\CarolE\Mineral\L-Bein.Richard&Ellen

**SHORT FORM I D OF TRUST AND ASSIGNMENT F RENTS**

**Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 37 of 233**

This Deed of Trust, made this 11 day of September, 1997, between RICHARD H. BEIN and C. ELLEN BEIN, husband and wife, herein called TRUSTOR, whose address is 19373 Lyons Valley Rd., Jamul, CA 91935-3806, TITLE SERVICE AND ESCROW COMPANY, a Nevada corporation, herein called TRUSTEE, and MICHAEL S. FLETCHER and MARIE L. FLETCHER, husband and wife as Joint Tenants with the Right of Survivorship, herein called BENEFICIARY, whose address is 24 Jessen Rd., Wellington, NV 89444

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS, AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in Lyon County, Nevada, described as:

A portion of the S 1/2 of the SW 1/4 of Section 26, T 12 N, R 23 E, M.D.B.&M., described as follows:

Parcel 2, as shown on the Parcel Map for Ruth Fletcher, filed in the Office of the Lyon County Recorder on February 6, 1992 as Document No. 148771.

TOGETHER WITH all water and water rights, ditches and ditch rights.

TOGETHER WITH the rents, issues and profits thereof, reserving the right to collect and use the same except during continuance of some default hereunder and during continuance of such default authorizing Beneficiary to collect and enforce the same by any lawful means in the name of any party hereto.

Trustor agrees that Trustor shall not assign or transfer this Deed of Trust, the Promissory Note secured hereby, or any obligation or interest hereunder or the property, or any part thereof, which is described in this Deed of Trust, without written consent of Beneficiary. Any attempted Assignment or Transfer by Trustor in violation of the foregoing provision may, at Beneficiary's option, be deemed a default by the Trustor, and Beneficiary may pursue such remedy or remedies as may be available to it for such a material breach.

FOR THE PURPOSE OF SECURING: 1. Performance of each agreement of Trustor incorporated by reference or contained herein. 2. Payment of the indebtedness evidenced by one promissory note of even date herewith, and any extension or renewal thereof, in the principal sum of \$54,662.23 executed by Trustor in favor of Beneficiary or order. 3. Payment of such additional sums as may hereafter be advanced for the account of Trustor or Assignee by Beneficiary with interest thereon.

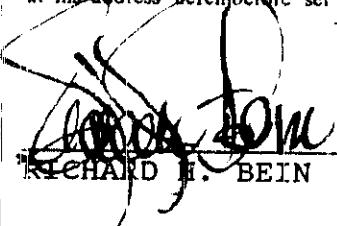
TO PROTECT THE SECURITY OF THIS DEED OF TRUST, TRUSTOR AGREES: By the execution and delivery of this Deed of Trust and the note secured hereby, that provisions (i) to (16) inclusive of the Deed of Trust recorded in the Book and at the page, or Document No. of Official Records in the Office of the county recorder of the county where said property is located, noted below opposite the name of such county, viz:

COUNTY	DOC. NO.	BOOK	PAGE	COUNTY	DOC. NO.	BOOK	PAGE
Clark	413987	514		Churchill	104132	34 mtgs	591
Washoe	407205	734	221	Douglas	24495	22	415
Lyon	88486	31 mtgs	449	Elko	14831	43	343
Mineral	76648	16 mtgs	534-537	Esmeralda	26291	311 Deeds	138-141

(which provisions, identical in all counties, are printed on the reverse hereof) hereby are adopted and incorporated herein and made a part hereof as fully as though set forth herein at length; that he will observe and perform said provision; and that the references to property, obligations, and parties in said provisions shall be construed to refer to the property, obligations, and parties set forth in this Deed of Trust.

The parties agree that with respect to provision 16, the amount of fire insurance required by covenant 2 shall be reasonable and with respect to attorneys' fees provided for by covenant 7 the percentage shall be reasonable.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

  
RICHARD H. BEIN

ORDER NO. TSL-18196

  
C. ELLEN BEIN

GRANT, BARGAIN and SALE LED  
FOR A VALUABLE CONSIDERATION, receipt of which is hereby  
acknowledged

JERRY L. BLADES and REGINA BLADES, husband and wife  
do hereby GRANT, BARGAIN and SELL TO

RICHARD H. BEIN and C. ELLEN BEIN, husband and wife as Joint Tenants  
with the Right of Survivorship

the real property situate in the County of Lyon, State of Nevada,  
described as follows:

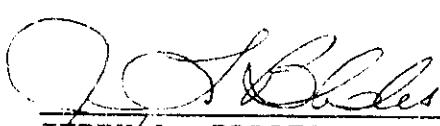
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M.D.B.&M., described as follows:

Parcel 2, as shown on the Parcel Map for Ruth Fletcher, filed in the  
Office of the Lyon County Recorder on, February 6, 1992 as Document  
No. 148771.

TOGETHER WITH all water and water rights, ditches and ditch rights.

TOGETHER WITH all tenements, hereditaments and appurtenances  
thereunto belonging or in anywise appertaining, and any reversion,  
remainders, rents, issues or profits thereof.

DATED Sept 19, 1997

  
\_\_\_\_\_  
JERRY L. BLADES

  
\_\_\_\_\_  
REGINA BLADES

STATE OF NEVADA )  
                      )  
                      ) ss.  
COUNTY OF LYON )

On Sept 19, 1997 personally appeared before me, a Notary  
Public (or Judge or other authorized person, as the case may be),  
JERRY L. BLADES and REGINA BLADES who acknowledged to me that they  
executed the within instrument.

  
\_\_\_\_\_  
Notary Public

RECORDERS USE

210242



SAM T. ROSS  
Notary Public - State of Nevada  
Appointment Recorded in Lyon County  
MY APPOINTMENT EXPIRES DEC. 28, 1997

Title Service & Escrow Co.

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 **ZEH, SPOO, HEARNE & PICKER**  
4 575 Forest Street, Suite 200  
Reno, Nevada 89509  
Telephone: (775) 323-5700

6 Attorneys for Intervenor,  
MINERAL COUNTY NEVADA

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

UNITED STATES OF AMERICA,

**In Equity No. C-125-ECR  
Subfile No. C-125-C**

## WALKER RIVER PAIUTE TRIBE,

**WAIVER OF PERSONAL  
SERVICE OF MOTIONS**

**Plaintiff-Intervenor,**

VS.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.;

#### Defendants.

## MINERAL COUNTY,

**Proposed-Plaintiff-Intervenor,**

VS

**WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.**

1 TO: ZEH, SPOO, HEARNE & PICKER, attorneys for proposed Plaintiff/Intervenor,  
2 Mineral County, Nevada

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21 orders with respect to answers or other responses to the proposed complaint-in-intervention  
22 or responses to the Motion for Preliminary Injunction, that I (or the entity on whose behalf  
23

1 I am acting) shall nevertheless be deemed to have notice of those subsequent orders of the  
2 Court.

3 DATED this 29<sup>th</sup> day of April, 1999.  
4

5   
6 (Signature)

7

8 Richard Bein  
9 (Printed name and title, if any)

10

11 \_\_\_\_\_  
12 (Company or entity, if any)  
13

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1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 **ZEH, SPOO, HEARNE & PICKER**  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
6 Telephone: (775) 323-5700

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Attorneys for Intervenor,  
MINERAL COUNTY NEVADA

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR  
Subfile No. C-125-C

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

WAIVER OF PERSONAL  
SERVICE OF MOTIONS

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.;

Defendants.

MINERAL COUNTY,

Proposed-Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.

Zeh, Spoo, Hearne & Picker  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 TO: ZEH, SPOO, HEARNE & PICKER, attorneys for proposed Plaintiff/Intervenor,  
2 Mineral County, Nevada

3 I acknowledge receipt of your request that I waive personal service of the  
4 documents involving the motion to intervene of Mineral County, Nevada, in the action of  
5 United States of America, *Plaintiff v. Walker River Irrigation District, et al.*, Defendants,  
6 which is Case No. C-125, Subfile No. C-125-C, in the United States District Court for the  
7 District of Nevada. I have also received a copy of the motion to intervene of Mineral  
8 County, the proposed complaint-in-intervention of Mineral County, the motion for  
9 preliminary injunction of Mineral County, and the Order Requiring Service of and  
10 Establishing Briefing Schedule Regarding the Motion to Intervene of Mineral County,  
11 along with two copies of this Waiver. I have also received a means by which I can return  
12 this signed waiver to you without cost to me.

13 I agree to save the cost of personal service of the documents, as above-described,  
14 by not requiring that I (or the entity on whose behalf I am acting) be served with judicial  
15 process in the manner provided by Federal Rules of Civil Procedure, Rule 4. I (or the  
16 entity on whose behalf I am acting) will retain all defenses or objections to this matter or  
17 to the jurisdiction or venue of the Court except for objections based on a defect, if any, in  
18 the manner in which these documents have been provided to me.

19 I understand, that if I (or the entity on whose behalf I am acting) do not appear and  
20 respond to the motion to intervene, by August 23, 1999, and if the Court enters further  
21 orders with respect to answers or other responses to the proposed complaint-in-intervention  
22 or responses to the Motion for Preliminary Injunction, that I (or the entity on whose behalf

1 I am acting) shall nevertheless be deemed to have notice of those subsequent orders of the  
2 Court.

3 DATED this 29<sup>th</sup> day of April, 1999.

4  
5   
6 (Signature)

7  
8 Ellen Bein  
9 (Printed name and title, if any)

10  
11 \_\_\_\_\_  
12 (Company or entity, if any)  
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THIS INSTRUMENT WAS SIGNED AND SWORN

Michael S. Fletcher and Marlene Fletcher, his wife,

in consideration of the sum of \$15,000.00, paid by Jerry L. Bladens, to Michael S. Fletcher, citizen of the United States, and other considerations, value received, the receipt of which is hereby acknowledged, to the best of my knowledge, the receipt of which is acknowledged and accepted by the

Bargain, Sett and Convey to

Jerry L. Bladens and Anna M. Bladens, his husband and wife

as Joint Tenants

and to the heirs and assigns of such Grantors, forever, all the right, title and  
property situated in the County of Lyon, State of Nevada, bounded and  
described as follows:

A portion of the South 1/2 of the Southwest 1/4 of Section 26,  
Township 12 North, Range 23 East, N.D.B., & S.W., described as  
follows:

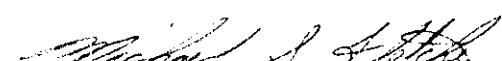
Parcel 2 as shown on the Parcel Map for Rui Fletcher, filed in  
the office of the Lyon County Recorder on February 6, 1992, *Document*  
*no. 148771.*

With all water and water rights and ditch and ditch rights that are  
appurtenant thereto.

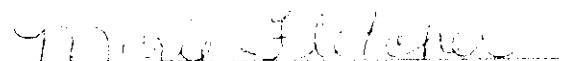
APN 10-131-05

Together with all and singular the tenements, hereditaments and  
appurtenances thereunto belonging or in any wise appertaining, and  
any reversions, remainders, rents, issues or profits thereof.

Witness our hands this 3rd day of MARCH, 1992.



Michael S. Fletcher



Marlene Fletcher

STATE OF Nevada

0

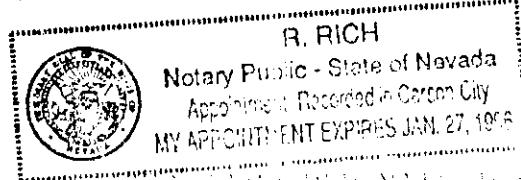
ISS

COUNTY OF Douglas

0

On March 3rd, 1992, personally appeared before me, a Notary  
Public, Michael S. Fletcher and Marlene Fletcher,

personally known or proved to me to be the persons whose names are  
subscribed to the above instrument, who jointly witnessed that they executed  
the same for the purposes hereinabove stated.



R. RICH  
Notary Public - State of Nevada  
Appointment Recorded in Carson City  
My Appointment Expires Jan. 27, 1996

This instrument was signed in the presence of  
the undersigned Notary Public, who has  
signed it on the date and place indicated  
above, and has affixed thereto his/her  
notary seal.

PC Box #73  
The Notary Public  
State of Nevada

whose address is: P.O. Box 1273 Gardnerville, NV 89410

and STIPULATE TITLE OF TRUSTEE: MARY E. FLETCHER, Trustee, and her husband, MICHAEL S. FLETCHER, as Joint Tenant

Michael S. Fletcher and Mary E. Fletcher, wife, and wife, herein called BENEFICIARY.

WITNESSETH: That Trustee approves the demands, from fees and expenses to Trustee in trust, with power of entry, that property in the City of Wells and Lyon County, Nevada, described as:

A portion of the South one-half of the Southwest quadrant of Section 26, Township 12 North, more particularly described as:

Parcel 2 is shown on the Survey Map for Bureau of Land Management, filed in the Office of the Lyon County Recorder on January 16, 1952, *Document no. 148771*, with all water and water rights, and all other rights that are appurtenant thereto.

Assessor's Parcel No. 30-111-02

The Note secured by this instrument contains no enforcement remedy provisions.

In the event Trustee shall sell or otherwise dispose of the above property alienate the interest they may have in the above described property, then in such event, the same title shall vest in Trustee and any interest accrued thereon shall become due and payable thereon payable, although the date of maturity has not yet arrived.

Together with the rents, issues and profits thereof, to collect, however, to right, power and authority hereinafter given to and confer upon Beneficiary to collect and apply such rents, issues, and profits, upon Beneficiary to collect and apply such rents, issues, and profits,

For the purpose of securing (1) payment of the sum of \$160,000.00 the interest thereon according to the terms of a promissory note or notes of even date herewith made by Trustee, payable to order of Beneficiary, and all extensions or renewals thereof; and (2) the performance of each agreement of Trustee the several of herein by reference or contained herein; (3) payment of additional sums and interest thereon which may hereafter be joined to Trustee, or to his successors or assigns, when evidenced by a promissory note or notes, reciting that they are secured by this deed of Trust.

To prevent the settlement of this deed of Trust, it is agreed that the property above described, after payment of all expenses of sale, the attorney fees and costs of the attorney, the expenses of recording and all of the taxes, and all other expenses of the sale, shall be paid to the County Auditor of Lyon County, Nevada, for deposit in the County Auditor's office, and the same to be held by the County Auditor until the time of final accounting between Trustee and Beneficiary, and the same to be distributed in accordance with the terms of the final accounting.

IN WITNESS WHEREOF, the parties have hereunto set their hands,

the day of August, 1973, and the year of One thousand nine hundred and seventy three.

Michael S. Fletcher

Mary E. Fletcher

Michael S. Fletcher, Trustee

Mary E. Fletcher, Trustee

The undersigned Trustee certifies that a copy of any notice of default, demand and any notice of sale or encounter be mailed to him at his address hereinbefore set forth.

J. F. St. L. S.

STATE OF Kansas  
COUNTY OF Douglas

on May 30, 1992, before me, a Notary Public, James L. Blader, & I do so in Blake.

and some of known or proven to have been the following: Mescal, Burnet, and  
Ginseng, to the above-mentioned, which may be seen in the following table:

2. 1948. 10. 11.



R. RICH  
Notary Public - State of Nevada  
Accessories - Precious Metal  
Jewelry, Art & Collectibles  
1000 E. Flamingo Rd., Suite 100  
Las Vegas, NV 89119  
(702) 736-1555

150175  
ALL RECORDS  
LYON COUNTY, NEV.  
RECORD REQUESTED BY  
D. B. 1st. 1968

**BLINN**

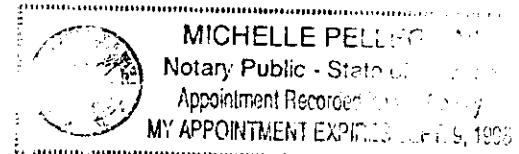
1 secured or any transferee thereof whether by operation of law or  
2 otherwise.

3 IN WITNESS WHEREOF the said First Party, Trustor has  
4 hereunto set his hand the day and year in this instrument first  
5 above written.

6 *Robert Lewis Cooper*  
7 ROBERT LEWIS COOPER, Successor  
8 Trustee

9 STATE OF NEVADA )  
10 COUNTY OF LYON )  
11 )

12 On the 7<sup>th</sup> day of August, 1995, before  
13 me, a notary public, personally appeared ROBERT LEWIS COOPER,  
14 Successor Trustee of the JOHN R. HARGUS and ALAH M. BLINN TRUST,  
15 who acknowledged to me that he executed the foregoing Deed of  
16 Trust.



*Michele Pelling*  
Notary Public

184794

Rife, Sciarani  
05 AUG 19 PH 2:49

## Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 50 of 233

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SPOO & HEARNE  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
6 Telephone: (702) 323-5700

7  
8  
9  
10 Attorneys for Intervenor,  
11 MINERAL COUNTY NEVADA

## 12 UNITED STATES DISTRICT COURT

## 13 DISTRICT OF NEVADA

14 \* \* \*

15 UNITED STATES OF AMERICA, )

16 Plaintiff, )

17 WALKER RIVER PAIUTE TRIBE, )

18 Plaintiff-Intervenor, )

19 vs. )

20 WALKER RIVER IRRIGATION DISTRICT, )

21 a corporation, et al.; )

22 Defendants. )

23 In Equity No. C-125-ECR  
24 Subfile No. C-125-C

## 25 RETURN OF SERVICE

26 MINERAL COUNTY, )

27 Proposed-Plaintiff-Intervenor, )

28 vs. )

WALKER RIVER IRRIGATION DISTRICT, )

a corporation, et al. )

I Cindy Duran, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: Robert Cooper, Trustee (Print name of person served)

4 of: Dickie M. Blinn Trust (Title and company where applicable)

5 on: August 1, 1999 (Date of service)

6 at: 3:40 p.m. (Time of service)

7 at the following place:

8 984 Hwy 208, Yerington, NV (Address or location)

9 in the following manner:

10  served personally

11  left copies

12  unable to execute service (why) \_\_\_\_\_

13 \_\_\_\_\_

14  other (specify) \_\_\_\_\_

15 \_\_\_\_\_

16 \_\_\_\_\_

17 Remarks: \_\_\_\_\_

18 \_\_\_\_\_

19 I declare under penalty of perjury under the laws of the United States of America that the

20 foregoing information in this Return of Service is true and correct.

21 August 1, 1999

22 Date

23 Signature of Server

24 575 Forest St., Ste. 200

25 Reno, NV 89503

26 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

JANET BLISS HUNEWILL, sole successor Trustee of the MAURICE A. and AGNES C. BLISS 1980 LIVING TRUST, dated August 8, 1980

does hereby GRANT, BARGAIN and SELL TO

JANET BLISS HUNEWILL and STANLEY L. HUNEWILL, wife and husband as Community Property

the real property situate in the County of Lyon, State of Nevada, described as follows:

The S  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 35, Township 12, North Range 23 East M.D.B. & M.

RESERVING THEREFROM: An easement 20 feet wide for the joint use and joint maintenance of the existing dutch that delivers water from the Simpson Colony Reclamation Canal Company over a portion of the South  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 35, Township 12 North, Range 23 East M.D.B. & M.

The NE  $\frac{1}{4}$  of Section 2, Township 11 North, Range 23 East, M.D.B. & M., containing 159.31 acres more or less,

TOGETHER with 120 shares of water in Simpson Colony Reclamation Canal Company and the right to purchase forty additional shares in Simpson Colony Reclamation Canal Company, such purchase to be completed by grantees, and all additional water and water rights, ditch and ditch rights appurtenant thereto.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

DATED June 17, 1997

Janet Bliss Hunewill  
JANET BLISS HUNEWILL, sole  
successor Trustee

STATE OF NEVADA      )  
                          )  
COUNTY OF LYON      ) ss.

On June 17, 1997 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), JANET BLISS HUNEWILL who acknowledged to me that she executed the within instrument.

RECORDERS USE

206568

Carole J. Rogers  
Notary Public

Janet Hunewill  
6/17/97 PM 3:15

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, POLAHA, SPOO, HEARNE & PICKER  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
6 Telephone: (702) 323-5700  
  
7 Attorneys for Intervenor,  
8 MINERAL COUNTY NEVADA

9

10

11

12

## UNITED STATES DISTRICT COURT

13

## DISTRICT OF NEVADA

14

\* \* \*

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UNITED STATES OF AMERICA,

)

16

Plaintiff,

)

In Equity No. C-125-ECR  
Subfile No. C-125-C

17

WALKER RIVER PAIUTE TRIBE,

)

RETURN OF SERVICE

18

Plaintiff-Intervenor,

)

19

vs.

)

20

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.;

)

21

Defendants.

)

22

MINERAL COUNTY,

)

23

Proposed-Plaintiff-Intervenor,

)

24

vs.

)

25

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.

)

26

)

27

)

28

I Kelvin Buchanan, hereby certify that service of process of Mineral  
(Print name of server)

Law, a viaia, upu, a viaia, upu,  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (702) 323-5700 FAX: (702) 786-8183

<sup>1</sup> County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

## 2 || Lieu of Summons

upon: Stanley L. Hunevill (Print name of person served)

5 of: \_\_\_\_\_ (Title and company where applicable)

6 on: 2/14/98 (Date of service)

7 at: 3:45 PM (Time of service)

<sup>8</sup> at the following place:

200 Honewell (Address or location)

Wellington N.Y.

in the following manner:

in the following manner:

12  served personally

13 [ ] left copies

[ ] unable to execute service (why)

17 [ ] other (specify)

19 | Remarks:

I declare under penalty of perjury under the laws of the United States of America that the foregoing information in this Return of Service is true and correct.

24 | 2/14/98

Date

Signature of Server

Box 1749

Dec 24 1950

(Address of Server) C:\WwE\etc\CLIENTS\Minicall\P-Return.J14

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 55 of 233

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, POLAHA, SPOO, HEARNE & PICKER  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
6 Telephone: (702) 323-5700

7 Attorneys for Intervenor,  
8 MINERAL COUNTY NEVADA

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 WALKER RIVER PAIUTE TRIBE,

15 Plaintiff-Intervenor,

16 vs.

17 WALKER RIVER IRRIGATION DISTRICT,  
18 a corporation, et al.;

19 Defendants.

In Equity No. C-125-ECR  
Subfile No. C-125-C

20 RETURN OF SERVICE

21 MINERAL COUNTY,

22 Proposed-Plaintiff-Intervenor,

23 vs.

24 WALKER RIVER IRRIGATION DISTRICT,  
25 a corporation, et al.

26 I Kelvin Buchanan, hereby certify that service of process of Mineral  
27 (Print name of server)

Zeh, Polaha, Spoo, Hearne & Picker  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (702) 323-5700 FAX: (702) 786-8183

County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

### Lieu of Summons

upon: Janet B. Kunevill (Print name of person served)

of: \_\_\_\_\_ (Title and company where applicable)

on: 2/14/98 (Date of service)

at: 3:45 PM (Time of service)

at the following place:

200 Hunewill (Address or location)

Wellington NV

in the following manner:

served personally

left copies

[ ] unable to execute service (why)

other (specify) Stan Huneycutt husband accepted

for Janet Honeywill

Remarks:

I declare under penalty of perjury under the laws of the United States of America that the foregoing information in this Return of Service is true and correct.

2/14/10

~~Signature of Server~~

Bx 1749

Reno NV 89505

(Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

**BROMLEY**

APN 12-071-05

GRANT BARGAIN AND

SALE DEED

THIS INDENTURE made this 12th day of July, 1999, by and between **BROMLEY PROPERTIES**, a general partnership, party of the first part to **THOMAS J. BROMLEY and MURIEL L. BROMLEY**, joint tenants with right of survivorship, parties of the second part.

W I T N E S S E T H:

That the party of the first part, for and in consideration of the sum of **TEN DOLLARS (\$10.00)** lawful money of the United States of America, and other valuable consideration, the receipt whereof being hereby acknowledged, does by these presents, grant, bargain and sell unto the parties of the second part, as joint tenants with right of survivorship, that certain property situate in the County of Lyon, State of Nevada, described as:

Parcel No. 3 of the Rosaschi Parcels, according to the Official Plat thereof, File No. 88797, filed in the Office of the Lyon County Recorder, Yerington, Nevada, on May 8<sup>th</sup>, 1964, further described as follows:

A parcel of land located in the NE ¼ of the SE ¼ of Section 27, T. 13 N, R 25 E, MDB&M, Mason Valley, Lyon County, Nevada, more particularly described as follows:

Beginning at the Northwest corner of the parcel, which point is on the Highway right of way line, and bears S 0° 26'20" W 8814.87 feet from the Northwest corner of Section 23, T. 13 N, R 25 E, MDB&M, proceed thence S 0°06' W 124.00 feet to the Southeast corner; thence N 89°54' W 250.00 feet to the Southwest corner; thence N 0°06' E 124.00 feet to the Northwest corner; thence S 89°54' E 250.00 feet to the point of beginning.

APN 12-071-05

**TOGETHER WITH** all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including but not limited to all water rights and well permits and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

**TO HAVE AND TO HOLD** all and singular, the above mentioned and described property, together with the appurtenances unto the said parties of the second part, and to the heirs and assigns of such survivor forever.

IN WITNESS WHEREOF, the parties of the first part has caused this deed to be executed  
the day and year first above written.



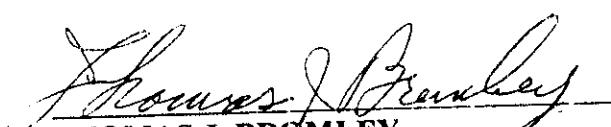
**THOMAS J. BROMLEY,**  
Individually  
General Partner, Bromley Properties



**THOMAS J. BROMLEY**  
Trustee of the Florence E. Bromley  
Testamentary Trust  
General Partner, Bromley Properties



**MURIEL L. BROMLEY**  
Individually, Wife of Thomas J. Bromley  
as to her spousal interest



**THOMAS J. BROMLEY**  
Trustee of the Thomas J. Bromley  
Testamentary Trust  
General Partner, Bromley Properties

STATE OF NEVADA                          )  
                                                  ) ss.  
COUNTY OF LYON                            )

This instrument was acknowledged before me on this 12th day of July, 1999,  
by Thomas J. Bromley, Individually and Trustee, and Muriel L. Bromley.

  
Diana Serene Turner, Notary Public  
Commission Expires 2-23-99

Mail Tax Statement to:  
177 Hwy 208  
Yerington, NV. 89447

236933

OFFICIAL REC'D  
LYON COUNTY, I  
RECORD REQUEST

Tom Bromley  
99 JUL 26 PM

MARY C. MILLI  
COUNTY REC'D

FEE \$8.00 DEP. Q

After Recording mail to:  
William L. Carpenter  
215 W. Bridge St.  
Suite 3  
Yerington, NV. 89447

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, POLAHA, SPOO, HEARNE & PICKER  
4 575 Forest Street, Suite 200  
Reno, Nevada 89509  
Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7

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9

UNITED STATES DISTRICT COURT

10

DISTRICT OF NEVADA

11

\* \* \*

12

UNITED STATES OF AMERICA,

)

13

Plaintiff,

)

In Equity No. C-125-ECR  
Subfile No. C-125-C

14

WALKER RIVER PAIUTE TRIBE,

)

15

Plaintiff-Intervenor,

)

RETURN OF SERVICE

16

vs.

)

17

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.;

)

18

Defendants.

)

21

-----  
MINERAL COUNTY,

)

22

Proposed-Plaintiff-Intervenor,

)

23

vs.

)

24

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.

)

27

I Kelvin Buchanan, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Polaha, Spoo, Hearne & Picker  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (702) 323-5700 FAX: (702) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: Muriel Bramley (Print name of person served)

4 of: Bramley Properties (Title and company where applicable)

5 on: 2/1/98 (Date of service)

6 at: 2:30 PM (Time of service)

7 at the following place:

8 177 South Hwy 268 (Address or location)  
9 Yerington NV

10 in the following manner:

11  served personally

12  left copies

13  unable to execute service (why) \_\_\_\_\_  
14 \_\_\_\_\_  
15 \_\_\_\_\_

16  other (specify) \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_

19 Remarks: \_\_\_\_\_  
20 \_\_\_\_\_  
21 \_\_\_\_\_

22 I declare under penalty of perjury under the laws of the United States of America that the  
23 foregoing information in this Return of Service is true and correct.

24 Date 2/1/98

25 Signature of Server

26 Box 1749

27 Xeno NV 89585

28 (Address of Server) C:\MyFiles\CLIENTS\Mineral\VP-Return.J14

**BRYAN**

\*\*\*THIS DATA IS FOR INFORMATION PURPOSES ONLY. CERTIFICATION CAN ONLY BE  
OBTAINED THROUGH THE OFFICE OF THE NEVADA SECRETARY OF STATE. \*\*\*

NEVADA SECRETARY OF STATE, CORPORATE RECORD

NAME: VERNON F. BRYAN, INC.

TYPE OF CORPORATION: REGULAR(DOMESTIC PROFIT)

CORPORATE STATUS: REVOKED 09/01/1997

DURATION: PERPETUAL

DATE OF INCORPORATION/QUALIFICATION: 12/30/1976

STATE--INCORP: NEVADA

REGISTERED AGENT: VERNON F. BRYAN, JR.

STATUS: ACCEPTED 02/25/1977

NUMBER OF COMPANIES REPRESENTED BY REGISTERED AGENT: 1

REGISTERED OFFICE: 539 LOWER COLONY RD  
WELLINGTON, NV 89444

PURPOSE: ALL LEGAL ACTIVITIES

CAPITAL/STOCK:

CAPITAL:	\$500,000
PAR SHARES:	5,000
PAR VALUE:	\$100.000

ANNUAL-REPORT:

LAST REPORT:	ANNUAL LIST OF OFFICERS
LAST REPORT FILED ON:	01/11/1996
ENDING YEAR:	1996

PRESIDENT: ROBERT EDWARD BRYAN  
541 LOWER COLONY RD  
WELLNGTON, NV 89444

STATUS: ADDED 12/20/1983

SECRETARY: VERNON F. BRYAN, JR.  
539 LOWER COLONY  
WELLINGTON, NV 89444

STATUS: ADDED 01/12/1982

TREASURER: VERNON F. BRYAN JR  
539 LOWER COLONY RD  
WELLNGTON, NV 89444

STATUS: ADDED 12/20/1983

**Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 64 of 233**

NEVADA SECRETARY OF STATE CORPORATE RECORDS

CORPORATION NUMBER: 4836-1976

CALL LEXIS DOCUMENT SERVICES FOR ALL YOUR CORPORATE NEEDS. 800-634-9738

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SPOO & HEARNE  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
6 Telephone: (702) 323-5700

7  
8  
9  
10 Attorneys for Intervenor,  
11 MINERAL COUNTY NEVADA

12  
13  
14  
15 UNITED STATES DISTRICT COURT  
16 DISTRICT OF NEVADA

17 \* \* \*

18 UNITED STATES OF AMERICA, )  
19 )  
20 Plaintiff, )  
21 )  
22 WALKER RIVER PAIUTE TRIBE, )  
23 )  
24 Plaintiff-Intervenor, )  
25 )  
26 vs. )  
27 )  
28 WALKER RIVER IRRIGATION DISTRICT, )  
29 a corporation, et al.; )  
30 )  
31 Defendants. )  
32 ----- )  
33 )  
34 MINERAL COUNTY, )  
35 )  
36 Proposed-Plaintiff-Intervenor, )  
37 )  
38 vs. )  
39 )  
40 WALKER RIVER IRRIGATION DISTRICT, )  
41 a corporation, et al. )  
42 )

In Equity No. C-125-ECR  
Subfile No. C-125-C

RETURN OF SERVICE

I Candy Duran, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: Vernon Bryan (Print name of person served)

4 of: \_\_\_\_\_ (Title and company where applicable)

5 on: August 2, 1999 (Date of service)

6 at: 3:30 pm. (Time of service)

7 at the following place:

8 539 Lower Colony Rd, Wellington, NV (Address or location)

9 in the following manner:

10  served personally

11  left copies

12  unable to execute service (why) \_\_\_\_\_

13 \_\_\_\_\_

14  other (specify) \_\_\_\_\_

15 \_\_\_\_\_

16 Remarks: \_\_\_\_\_

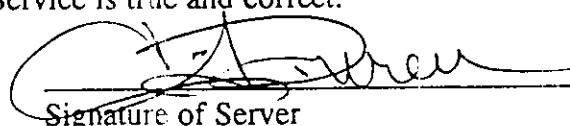
17 \_\_\_\_\_

18 I declare under penalty of perjury under the laws of the United States of America that the

19 foregoing information in this Return of Service is true and correct.

20 August 2, 1999

21 Date



Signature of Server

22 575 Forest St, Ste. 200

23 Reno, NV 89509

24 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

Crder No. TSF-4824  
Document Transfer Tax \$71.50  
APN 20-351-07

Mail Tax Bill to Grantee:  
1550 Allen Road  
Fallon, NV. 89406

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

STEVE STREMMEL, a married man, as his sole and separate property does hereby GRANT, BARGAIN and SELL TO

MICHAEL CASEY and CLAUDIA CASEY, husband and wife as Joint Tenants with the Right of Survivorship

the real property situate in the County of Lyon, State of Nevada, described as follows:

Lot 2, Block 3, as shown on the Official Map of FLYING CIRCLE RANCH ESTATES, recorded in the Official Records of Lyon County, Nevada, on August 2, 1978, as Document No. 39323.

EXCEPTING THEREFROM an undivided one-half interest in and to all oil, gas, petroleum, naptha, and other hydrocarbon substances and minerals of whatsoever kind and nature in, upon, or beneath the property hereinabove described.

TOGETHER WITH ANY AND ALL WATER RIGHTS AS APPORTIONED BY THE TRUCKEE-CARSON IRRIGATION DISTRICT.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

DATED October 21, 1994

  
\_\_\_\_\_  
STEVE STREMMEL

STATE OF NEVADA )  
 ) ss.  
COUNTY OF WASHOE )

On October 21, 1994 personally appeared before me, a Notary Public for Judge or other authorized

Trust, made this 25<sup>th</sup> day of November, 197-, between MICHAEL and CLAUDIA CASEY, husband and wife, herein called TRUSTOR whose address is LEN RD, FALLOON, NV. 89406, TITLE SERVICE AND ESCROW a Nevada corporation, herein called TRUSTEE, and STEVE STREMMLER, a married man, as sole and separate property, herein called BENEFICIARY.

That Trustor IRREVOCABLY GRANTS, TRANSFERS, AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER at property in Lyon County, Nevada, described as:

Block 3, as shown on the Official Map of FLYING CIRCLE RANCH, recorded in the Official Records of Lyon County, Nevada, 1st 2, 1978, as Document No. 39323.

ING THEREFROM an undivided one-half interest in and to all minerals, petroleum, naptha, and other hydrocarbon substances and products of whatsoever kind and nature in, upon, or beneath the property hereinabove described.

CR WITH ANY AND ALL WATER RIGHTS AS APPORTIONED BY THE E-CARSON IRRIGATION DISTRICT.

WITH the rents, issues and profits thereof reserving the right to collect and use the same except during of some default hereunder and during continuance of such default authorizing Beneficiary to collect and enforce the lawful means in the name of any party hereto.

is that Trustor shall not assign or transfer this Deed of Trust, the Promissory Note secured hereby, or any obligation hereunder or the property, or any part thereof, which is described in this Deed of Trust, without written consent of Any attempted Assignment or Transfer by Trustor in violation of the foregoing provision may, at Beneficiary's demand a default by the Trustor, and Beneficiary may pursue such remedy or remedies as may be available to it for such breach.

URPOSE OF SECURING: 1. Performance of each agreement of Trustor incorporated by reference or contained in the note secured hereby; 2. Payment of the indebtedness evidenced by one promissory note of even date herewith, and any extension or renewal of the principal sum of \$38,500.00 executed by Trustor in favor of Beneficiary or order. 3. Payment of such sums as may hereafter be advanced for the account of Trustor or Assigns by Beneficiary with interest thereon.

T THE SECURITY OF THIS DEED OF TRUST, TRUSTOR AGREES: By the execution and delivery of this Deed and the note secured hereby, that provisions (1) to (16) inclusive of the Deed of Trust recorded in the Book and Document No. of Official Records in the Office of the county recorder of the county where said property is located, opposite the name of such county, viz:

DOC. NO.	BOOK	PAGE	COUNTY	DOC. NO.	BOOK	PAGE
413987	514		Churchill	104132	34 mtgs	591
407205	734	221	Douglas	24495	22	4-5
88486	31 mtgs	449	Elko	14831	43	343
76648	16 mtgs	534-537	Esmeralda	26291	3H Deeds	133-141
47157	67	163	Eureka	39602	3	283
72637	19	102	Humboldt	116986	3	83
57488	28	58	Lander	41172	3	758
28573	R mtgs	112	Lincoln	41292	0 mtgs	467
128126	261	341-344				

sions, identical in all counties, are printed on the reverse hereof) hereby are adopted and incorporated herein and hereof as fully as though set forth herein at length; that he will observe and perform said provisions; and that the property, obligations, and parties in said provisions shall be construed to refer to the property, obligations, and parties in this Deed of Trust.

I agree that with respect to provision 16, the amount of fire insurance required by covenant 2 shall be reasonable and to attorneys' fees provided for by covenant 7 the percentage shall be reasonable.

ed Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him before set forth.

Michael Casey  
CASEY

ORDER NO. TSF-4824

( ) Realty not sold.

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 69 of 233

GRANT, BARGAIN, SALE DEED

CHAEIL A. CASEY AND CLAUDIA C. CASEY, husband and wife in consideration of  
pounds, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey  
JAMES STONE, an unmarried man all that real property in the County  
of, State of Nevada, bounded and described as follows:

hibit "A" attached hereto and made a part hereof

TING UNTO GRANTOR HEREIN A NON-EXCLUSIVE EASEMENT FOR A DITCH EASEMENT  
SCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF  
B

ir with all singular the tenements, hereditaments and appurtenances thereunto belonging or in  
appertaining.

12-17-96

MICHAEL A. CASEY  
MICHAEL A. CASEY

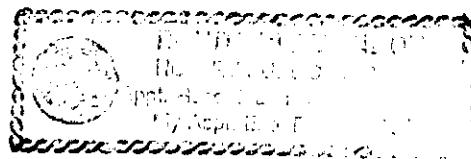
Claudia C. Casey  
CLAUDIA C. CASEY

IF NEVADA

OF CHURCHILL.)

2-17-96 personally appeared before me, a Notary Public, MICHAEL A. CASEY and CLAUDIA  
CASEY who acknowledged that they executed the above instrument.

ire Ronald Flammulin  
(Notary Public)



RECORDED MAIL TO:

J. STONE  
Box 569  
Reno, NV 89447

2001570

EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

All that certain real property situated in a portion of the Northeast quarter of Section 34, Township 13 North, Range 25 East, Mount Diablo Meridian, County of Lyon, State of Nevada, being more particularly described as follows:

Beginning at a point on the Westerly right of way of State Route 208, said point also being the Southeast corner of Parcel C as shown on that certain map entitled "Parcel Map for Michael A. and Claudia C. Casey", File No. 171696, Lyon County Records, thence from said point of beginning along the Southerly line of said Parcel C, North 89° 00' 14" West a distance of 367.00 feet; thence leaving said Southerly line, North 0° 38' 58" East a distance of 145.20 feet; thence South 89° 00' 14" East a distance of 150.00 feet to a point on the Westerly line of Parcel B as shown on the aforementioned Parcel Map No. 171696; thence along said Westerly line South 0° 38' 58" West a distance of 41.83 feet to the Southwest corner of said Parcel B; thence along the Southerly line of said Parcel B, South 89° 00' 14" East a distance of 217.00 feet to a point on the Westerly right of way of State Route 208 as shown on the said Parcel Map No. 171696; thence along said right of way, South 0° 38' 58" West a distance of 100.37 feet to the point of beginning.

200570

EXHIBIT "A"

Situate in the County of Lyon, State of Nevada and more particularly described as follows:

Beginning at a point on the West boundary line of State Highway No. 3, which said point of beginning is 40 rods North of the Southeast corner of the Northeast quarter of Section 26, Township 12 North, Range 25 East, M.D.B. & M., thence from said point of beginning, first course West, a distance of 580.8 feet; thence second course North a distance of 225 feet; thence third course East a distance of 580.8 feet to the West boundary line of State Highway No. 3; thence fourth course South, along the West boundary line of said State Highway No. 3, a distance of 225 feet to the point of beginning.

TOGETHER with a water rights apportioned by the Walker River Irrigation District.

**99568**

OFFICIAL RECORD  
LYON COUNTY, NE

RECORD REQUESTED

*Charles S. Ho*

'86 MAY 16 PM 12

NANCY M. JARR  
COUNTY RECORDEE  
FEE *6.00* DEF *SM*

**CUTLER**

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SPOO & HEARNE  
4 575 Forest Street, Suite 200  
Reno, Nevada 89509  
Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7

8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )  
13 )  
14 Plaintiff, ) In Equity No. C-125-ECR  
15 WALKER RIVER PAIUTE TRIBE, ) Subfile No. C-125-C

16 Plaintiff-Intervenor, ) RETURN OF SERVICE  
17 vs. )  
18 WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al.; )  
19 )  
20 Defendants. )  
21 ----- )  
22 MINERAL COUNTY, )  
23 Proposed-Plaintiff-Intervenor, )  
24 vs. )  
25 WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al. )  
26 )  
27 )  
28 I Lillian Miquelis, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

2 Lieu of Summons

3 upon: Corporation Trust Co. of Nevada (Print name of person served) resident agent

4 of: Walker River Land Corporation for  
5 Title and company where applicable

6 on: June 8, 1999 (Date of service)

7 at: 3:20 p.m. (Time of service)

8 at the following place:

9 One E. First St., Suite (Address or location)

10 in the following manner: 1411

11  served personally

12  left copies

13  unable to execute service (why) \_\_\_\_\_

14 \_\_\_\_\_

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

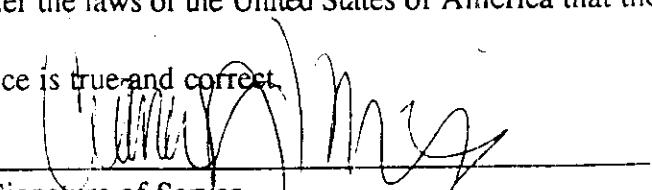
19 Remarks: \_\_\_\_\_

20 \_\_\_\_\_

21 \_\_\_\_\_

22 I declare under penalty of perjury under the laws of the United States of America that the

23 foregoing information in this Return of Service is true and correct.

24 June 8, 1999 

25 Date \_\_\_\_\_

26 Signature of Server \_\_\_\_\_

27 575 Forest St., Suite 200

28 Renio, NV 89509

(Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

## Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 75 of 233

LAW OFFICE OF LINDA A. BOWMAN, LTD.  
ATTORNEY AT LAW

LINDA A. BOWMAN

540 HAMMILL LANE  
RENO, NEVADA 89511(775) 335-1700  
FAX (775) 335-1717

E-MAIL: ATTY@BOWROB.RENO.NV.US

August 7, 2000

By Fax and U.S. Mail

Treva Hearne, Esq.  
Zeh, Spoo & Hearne  
571 Forest Street, Suite 200  
Reno, NV 89509

Re: C-125-C - Walker River Decree - Proposed Intervention by  
Mineral County

Dear Ms. Hearne:

Your letter of August 1, 2000 addressed to Dale Ferguson, counsel for the Walker River Irrigation District, was referred to our office. In that letter you requested information on "Day, Charles E. and Lucille M."

The assessment records of the United States Board of Water Commissioners indicate that the bill for these water righted lands is currently being assessed to "William M., Jr. and Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust". The assessment is mailed to 2535 State Route 338, Wellington, NV 89444. As has been my advise in the past, one cannot solely rely on the Assessment records of the United States Board but must check the local Recorder's records to confirm that the property was, in fact, transferred to this Trust by the Days.

Sincerely yours,

  
Linda A. Bowman

TAB:ms

cc: Roger Bezayiff, Chief Deputy Water Commissioner

CLARK J. GUILD, JR.  
GUILD & RAGIN LTD  
P.O. Box 2838  
Reno, Nevada 89505

GRANT, BARGAIN AND SALE DEED

THIS GRANT, BARGAIN AND SALE DEED is made this 25  
day of July, 1988, by CHARLES E. DAY, LUCILE M. D.  
WILMA LUCILE COMPSTON, CAROLYN LOIS DAY and MARILYN RUTH  
ITHURBURU, as tenants in common, as Grantors, hereinafter  
referred to as "Grantors", and WILMA LUCILE COMPSTON, as Gran-  
hereinafter referred to as "Grantee".

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of  
TEN DOLLARS (\$10.00) and other good and valuable consideration,  
receipt of which is hereby acknowledged, does by these presents  
Grant, Bargain and Sell unto Grantee, her heirs, successors  
and assigns forever, all that certain real property situate, lying  
and being in the County of Lyon, State of Nevada and more  
particularly described in Exhibit "A".

Together with all and singular tenements,  
hereditaments, and appurtenances thereunto belonging or in any  
appertaining, reversion and reversions, remainder and remain-  
rents, issues and profits thereof.

0117429

TO HAVE AND TO HOLD, all and singular, the said  
; together with the appurtenances, unto Grantee, and to  
; assigns forever.

Charles E. Day  
E. DAY

Lucile M. Day  
LUCILE M. DAY

Lucile Compston Carylyn Lois Day  
LUCILE COMPSTON CAROLYN LOIS DAY

Ruth Ithurburu  
RUTH ITHURBURU

OF NEVADA )  
              )  
OF WASHOE ) ss.  
              )

On the 8<sup>th</sup> day of July, 1988, personally  
seen before me, a Notary Public in and for said County and  
CHARLES E. DAY, who acknowledged to me that he executed  
foregoing Deed.

SUSAN J. DeCHAMBEAU  
Notary Public - State of Nevada  
Appointment Recorded in Lyon County  
MY APPOINTMENT EXPIRES JULY 18, 1988

Susan J. DeChambeau  
NOTARY PUBLIC

OF NEVADA )  
              )  
OF WASHOE ) ss.  
              )

On the 8<sup>th</sup> day of July, 1988, personally  
seen before me, a Notary Public in and for said County and  
LUCILE M. DAY, who acknowledged to me that she executed  
foregoing Deed.

SUSAN J. DeCHAMBEAU  
Notary Public - State of Nevada

Susan J. DeChambeau

ECORDED, return to:

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 78 of 233

J. GUILD, JR.  
& HAGEN, LTD.  
ox 2838  
Nevada 89505

GRANT, BARGAIN AND SALE DEED

THIS GRANT, BARGAIN AND SALE DEED is made this 8<sup>th</sup>  
E July, 1988, by CAROLYN LOIS DAY, as Grantor,  
afters referred to as "Grantor", and CHARLES E. DAY, LUCILE  
Y, WILMA LUCILE COMPSTON, CAROLYN LOIS DAY and MARILYN RUTH  
BURU, as tenants in common, as Grantees, hereinafter  
red to as "Grantees".

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of  
DOLLARS (\$10.00) and other good and valuable consideration,  
part of which is hereby acknowledged, does by these presents  
, Bargain and Sell unto Grantees, their heirs, successors  
assigns forever, all that certain real property situate,  
g and being in the County of Lyon, State of Nevada and more  
icularly described in Exhibit "A".

Together with all and singular tenements,  
dutaments, and appurtenances thereunto belonging or in anyway  
ertaining, reversion and reversions, remainder and remainders,  
es, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said  
mises together with the appurtenances, unto Grantees, and their  
ir heirs and assigns forever.

Carolyn Lois Day  
CAROLYN LOIS DAY

0117430

CLARK J. GUILD, JR.  
GUILD & HAGEN, LTD.  
P.O. Box 2838  
Reno, Nevada 89505

GRANT, BARGAIN AND SALE DEED

THIS GRANT, BARGAIN AND SALE DEED is made this 1st  
day of July, 1988, by WILMA LUCILE COMPSTON, as  
Grantor, hereinafter referred to as "Grantor", and CHARLES E.  
DAY, LUCILE M. DAY, WILMA LUCILE COMPSTON, CAROLYN LOIS DAY and  
MARILYN RUTH ITHURBURU, as tenants in common, as Grantees,  
hereinafter referred to as "Grantees".

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of  
TEN DOLLARS (\$10.00) and other good and valuable consideration,  
receipt of which is hereby acknowledged, does by these presents  
Grant, Bargain and Sell unto Grantees, their heirs, successors  
and assigns forever, all that certain real property situate,  
lying and being in the County of Lyon, State of Nevada and more  
particularly described in Exhibit "A".

Together with all and singular tenements,  
hereditaments, and appurtenances thereunto belonging or in anyway  
appertaining, reversion and reversions, remainder and remainders,  
rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said  
premises together with the appurtenances, unto Grantees, and to  
their heirs and assigns forever.

  
WILMA LUCILE COMPSTON

0117431

WHEN RECORDED return to:

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 80 of 233

CLARK J. GUILD, JR.  
GUILD, HAGEN & CLARK, LTD.  
Post Office Box 2838  
Reno, Nevada 89505

GRANT, BARGAIN AND SALE DEED

THIS GRANT, BARGAIN AND SALE DEED is made this 12  
day of December, 1986, by L. S. DAY, INC., a Nevada  
Corporation, as Grantor, hereinafter referred to as "Grantor",  
and WILMA LUCILE COMPSTON, hereinafter referred to as "Grantee".  
Box 381, Minden, NV 89423

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of  
TEN DOLLARS (\$10.00) and other good and valuable consideration,  
receipt of which is hereby acknowledged, does by these presents  
Grant, Bargain and Sell unto Grantee, her heirs, successors and  
assigns forever, all that certain real property situate, lying  
and being in the County of Lyon, State of Nevada and more  
particularly described in Exhibit "A".

Together with all and singular tenements,  
hereditaments, and appurtenances thereunto belonging or in  
anyway appertaining, reversion and reversions, remainder and  
remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said  
premises together with the appurtenances, unto Grantee, and to  
her heirs and assigns forever.

Charles E. Day  
CHARLES E. DAY  
President  
L. S. DAY, INC.

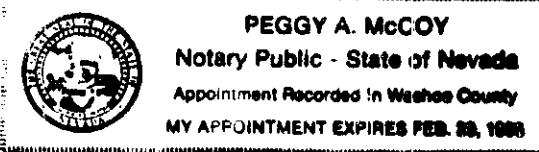
Lucile M. Day  
LUCILE M. DAY  
Secretary  
L. S. DAY, INC.

0104159

STATE OF NEVADA                         )  
                                                ) ss.  
COUNTY OF WASHOE                         )

On the 12<sup>a</sup> day of December, 1986, personally  
appeared before me, a Notary Public in and for said County and  
State, CHARLES E. DAY and LUCILE M. DAY, who acknowledged to me  
that they had executed the foregoing Deed in their capacities as  
President and Secretary, respectively, of the above corporation.

Peggy A McCoy  
NOTARY PUBLIC



0104159

RPT #782.60 less taxes

WHEN RECORDED, return to:

CLARK J. GUILD, JR.  
GUILD, HAGEN & CLARK, LTD.  
Post Office Box 2838  
Reno, Nevada 89505

GRANT, BARGAIN AND SALE DEED

THIS GRANT, BARGAIN AND SALE DEED is made this day of December, 1986, by L. S. DAY, INC., a Nevada Corporation, as Grantor, hereinafter referred to as "Grantor" and CHARLES E. DAY, LUCILE M. DAY, WILMA LUCILE COMPS CAROLYN LOIS DAY, and MARILYN RUTH ITHURBURU, as tenant common, hereinafter referred to as "Grantees".

W I T N E S S E T H :

That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration receipt of which is hereby acknowledged, does by these present Grant, Bargain and Sell unto Grantees, their heirs, successors and assigns forever, all that certain real property siting and being in the County of Lyon, State of Nevada and particularly described in Exhibit "A".

Together with all and singular tenements, hereditaments, and appurtenances thereunto belonging in anyway appertaining, reversion and reversions, remainders, remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the premises together with the appurtenances, unto Grantees, their heirs and assigns forever.

he undersigned, Notary Public, do hereby certify that the documentary transfer tax is \$0.00 - *Exempt*, and

- ) computed on full value of property conveyed, or  
 ) computed on full value less value of liens and encumbrances remaining at time of sale.  
 ) Unincorporated area: ( ) City of ..... and  
 x) Realty not sold. Exemption 11 of NRS 375.090 (Amended)

ation of \$ 10.00, receipt of which is acknowledged JANICE HOWARD, an unmarried

hereby quitclaim to THE CHRISTY TRUST AGREEMENT

J. HOWARD, CHARLES E. DAY, RICHARD W. STEBBINS AS TRUSTEES OF THE CHRISTY  
TRUST AGREEMENT DATED JANUARY 15, 1986 the real property in the

Lyon

State of Nevada, described as:

HIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

my hand this 9th day of January 1986

OF NEVADA,  
BY OF Lyon } ss.  
May 6, 1986 personally  
d before me, a Notary Public.  
e Howard

JANICE HOWARD

knowledged that he executed the above instrument.

DONALD R. ROWLES  
(Notary Public)



DONALD R. ROWLES  
Notary Public - State of Nevada  
Appointment Recorded in Lyon County  
MY APPOINTMENT EXPIRES DEC 15, 1986

Escrow No. \_\_\_\_\_

→ If executed by a Corporation the Corporation Form of

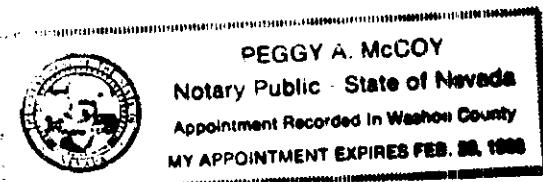
Acknowledgment must be used.

SPACE BELOW THIS LINE FOR RECORDER'S USE

NEVADA )  
 ) ss.  
 WASHOE )

On the 12<sup>th</sup> day of December, 1986, personally  
before me, a Notary Public in and for said County and  
CHARLES E. DAY and LUCILE M. DAY, who acknowledged to me  
they had executed the foregoing Deed in their capacities as  
President and Secretary, respectively, of the above corporation.

Peggy A McCoy  
NOTARY PUBLIC



recorded return to:

J. Guild, Jr.  
, Russell, Gallagher  
ller, Ltd.  
Box 2838  
Nevada 89505

# 8

QUITCLAIM DEED

THIS INDENTURE WITNESSETH: That for a valuable consider-  
ation, receipt of which is hereby acknowledged, CHARLES E. DAY  
and LUCILE M. DAY, husband and wife (Grantors) do hereby remise,  
convey, and quitclaim to CHARLES E. DAY and LUCILE M. DAY, Co-  
donees of the DAY FAMILY TRUST (Grantee), all of their right,  
title and interest in that real property in the County of Lyon,  
State of Nevada, and more specifically described as follows:

PARCEL 1:

All that certain real property being a portion of Section  
32, T 10 N, R 24 E, M.D.B.&M., Lyon County, Nevada,  
described as follows:

Parcel No. 1 as shown on Parcel Map for L.S. Day, Inc.,  
recorded in the Official Records of Lyon County, Nevada  
on December 23, 1986, as No. 104156 [APN 10-761-04]

PARCEL 2:

All that certain real property situate in the County of  
Lyon, State of Nevada, described as follows:

T 9 N, R 24 E, M.D.B.&M., Section 23: the E 1/2 of the SE  
1/4, excepting therefrom that portion within the Highway  
Right of Way of State Route 338 [APN 10-781-02]

197422

The undersigned grants his or her

Document Number 28-124-80

( ) computed on full value of property conveyed or

( ) computed on full value less value of liens and encumbrances remaining at time of sale

( ) Unincorporated area: ( ) City of \_\_\_\_\_, State of \_\_\_\_\_, County of \_\_\_\_\_, and

( ) Realty not sold.

THIS INDENTURE WITNESSETH: That LORETTA J. HOWARD, CHARLES E. DAY, AND RICHARD W.STEBBINS, as Trustees of the CHRISTY J. RAZWICK TRUST AGREEMENT, Dated Januaryin consideration of \$10.00, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, SellConvey to CHARLES S. HOWARD, III, a married man, as his sole and separate properCounty of Lyonall that real property situate in the  
State of Nevada, bounded and described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

IT IS SPECIFICALLY AGREED THAT ALL WATER, WATER RIGHTS, DITCH AND DITCH RIGHTS A  
APPURtenant TO THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO ARE ALSO  
CONVEYED HEREBY.Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any  
appertaining.Witness our hand S this 29th day of November

THE CHRISTY J. RAZWICK TRUST AGREEMENT, dated January 15, 1986

STATE OF NEVADA }  
COUNTY OF Lyon } SS.On December 14, 1988personally appeared before me a Notary Public,  
Loretta J. Howard, Charles E. Day, and  
Richard W. Stebbins

who acknowledged that they executed the above instrument

Signature Mary Ann Scirine  
(Notary Public)WHEN RECORDED MAIL TO:  
Charles S. Howard,  
856 Highway 208  
Yerington, NV. 894

Together with all and singular the tenements, hereditaments and appurtenances chereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof, and all water and water rights, ditch and ditch rights, reservoir and reservoir rights.

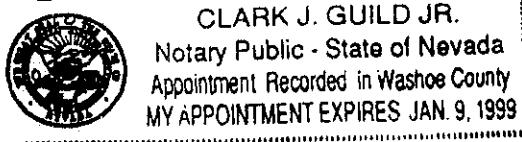
Witness by hand this 13 day of September, 1996

Charles E Day  
CHARLES E. DAY

Lucile M. Day  
LUCILE M. DAY

STATE OF NEVADA )  
) ss:  
COUNTY OF Washoe )

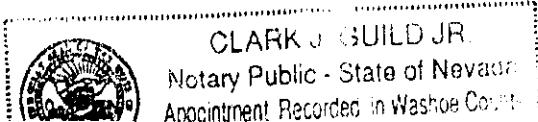
On September 13<sup>th</sup>, 1996, before me, a notary public personally appeared CHARLES E. DAY, personally known (or proved) to me to be the person whose name is subscribed to the above instrument, who acknowledged that he executed the instrument.



Clark J. Guild Jr.  
Notary Public

STATE OF NEVADA )  
) ss:  
COUNTY OF Washoe )

On September 13<sup>th</sup>, 1996, before me, a notary public personally appeared LUCILE M. DAY, personally known (or proved) to me to be the person whose name is subscribed to the above instrument, who acknowledged that she executed the instrument.



Clark J. Guild Jr.  
Notary Public

**GRANT, BARGAIN AND SALE DEED**

THIS GRANT, BARGAIN AND SALE DEED is made this 1<sup>st</sup>-day of  
July, 1995, by CHARLES E. DAY and LUCILE M. DAY, as husband and wife,  
LUCILE COMPSTON, CAROLYN LOIS DAY WHITMIRE and MARILYN RUTH  
RUE, each as a married woman as her sole and separate property (hereinafter referred to  
as "Grantors"), and MUSTANG PROPERTIES, a Nevada General Partnership, (hereinafter  
as "Grantee").

**WITNESSETH:**

at Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other  
valuable consideration, receipt of which is hereby acknowledged, by these presents,  
Grant and Sell unto Grantee, its successors and assigns forever, all that certain real  
estate, lying and being in the County of Lyon, State of Nevada and more particularly  
described on Exhibit "A", attached hereto and made a part hereof.  
TOGETHER with all and singular tenements, hereditaments, and appurtenances thereunto  
and in anyway appertaining, reversion and reversions, remainder and remainders, rents,  
and profits thereof, and all water and water rights, ditch and ditch rights, reservoir and  
rights appurtenant thereto.

189077

LEGAL DESCRIPTION

APN 10-161-12

All that certain real property situate in the County of Lyon  
State of Nevada, described as follows:

Township 9 North, Range 24 East, M.D.B.&M.

Section 4: W  $\frac{1}{2}$ .

Section 5: E  $\frac{1}{2}$  and E  $\frac{1}{2}$  of W  $\frac{1}{2}$ .

Excepting therefrom all that portion lying West of the East  
of way line of Desert Creek Road.

Section 8: E  $\frac{1}{2}$  of NW 1/4, W  $\frac{1}{2}$  of NE 1/4, NE 1/4 of NE 1/4  
NE 1/4 of SW 1/4, SW 1/4 of SW 1/4.

Section 17: W  $\frac{1}{2}$  of NW 1/4.

Township 10 North, Range 24 East, M.D.B.&M.

Section 32: SE 1/4 of NW 1/4, S  $\frac{1}{2}$  of NE 1/4, E  $\frac{1}{2}$  of SW 1/4  
SE 1/4.

EXCEPTING THEREFROM: All that portion which lies within Lyon  
County Parcel Maps No. 104156 and No. 108742.

Also Excepting therefrom all that portion lying West of the  
right of Way line of Desert Creek Road.

Section 33: W  $\frac{1}{2}$  of SW 1/4 and SE 1/4 of SW 1/4.

TOGETHER WITH:

1. All water rights, as more particularly set forth  
action entitled United States v. Walker River Irrigation  
District, et al., in the United States District Court for  
District of Nevada, In Equity, C-125 (1936), originally de-  
to F. W. Simpson as Claim No. 172, with Desert Creek as the  
source, as set forth on page 48 of the Decree. Said right  
evidenced by Card No. 101,500, Official Records of the Wal-  
River Irrigation District, Yerington, Nevada.

2. An undivided 50% interest in that certain Agreement  
dated January 24, 1950, between Warren and Lucile Simpson,  
Ambro and Belle Rosaschi. The Rosaschi interest represent  
predecessor in interest to grantor.

3. Application 12129 Permit 7235, License 4037;  
Application 12023, Permit 7195, License 4035; Certificate  
which represents storage waters of Lobdell Lake, all issued  
State of California, Division of Water Resources.

RECORDED

1890

**DEL PORTO**

REAL PROPERTY TRANSFER  
computed on full value of property conveyed, or  
computed on full value of liens and encumbrances ASSUMED

( Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 91 of 233

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

DANIEL E. DEL PORTO and CHERRYL ANN DEL PORTO, husband and wife

do(es) hereby GRANT TO

DANIEL E. DEL PORTO and CHERRYL ANN DEL PORTO, husband and wife, and  
IGINIA M. MOREDA, a married woman, and JULIE A. DEL PORTO, a single  
person, all as joint tenants

the real property situate in the County of Lyon, State of Nevada,  
described as follows:

Southeast 1/4 of Southeast 1/4, Section 9, Township 14 North, Range 25 East,  
M.D.B.&M., together with all water and water rights, ditches and ditch rights.

EXCEPTING THEREFROM that portion of the Southeast 1/4 of Section 9, Township  
14 North, Range 25 East, M.D.B.&M., particularly described as follows:

Beginning at the Northwest corner of said Southeast quarter of the Southeast  
quarter; thence South along the West line thereof, a distance of 1320.00 feet  
more or less to the Southwest corner of said Southeast quarter of the Southeast  
quarter; thence East along the South line thereof a distance of 561.00 feet to  
a point on said South line; thence North parallel with and 561.00 feet East of  
the West line of said Southeast quarter of the Southeast quarter a distance of  
1320.00 feet more or less to a point in the North line thereof; thence West  
along said North line a distance of 561.00 feet to the point of beginning.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in  
anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

Daniel E. Del Porto  
Daniel E. Del Porto  
Cherryl Ann Del Porto  
Cherryl Ann Del Porto

STATE OF NEVADA      LYON

COUNTY OF

On February 21, 1997 before me }  
the undersigned, a Notary Public in and for said County and State, }  
personally appeared Daniel E. Del Porto,  
and Cherryl Ann Del Porto,

known to me to be the person(s) whose name(s) is/are subscribed  
to the within instrument, and acknowledged to me that he/she they  
executed the same.

WITNESS my hand and official seal.



JULIE JONES  
Notary Public - State of Nevada  
Appointment Recorded in Lyon County  
No. 36-4724-12 - Expires October 3, 2000

SPACE BELOW FOR RECORDER'S USE

202590

Cherryl Del Porto

97 FEB 21 AM 11:08

CCS  
FEE 75.00  
RECEIVED  
FEB 21 1997  
OK

# United States District Court

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

## SUMMONS IN A CIVIL CASE

v.

CASE NUMBER:

WALKER RIVER IRRIGATION DISTRICT,

IN EQUITY NO. C-125-C-ECR

a corporation, et al.,

Defendants

TO: (Name and address of defendant) ALL WATER RIGHTS HOLDERS IN THE WALKER

George & Susan Fitz  
35 Penrose Lane  
Yerington NV 89497

RIVER

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

TREVA J. HEARNE, ESQ.  
ZEH, POLAHA, SPOO & HEARNE  
575 Forest Street  
Reno, Nevada 89509

answer to the complaint which is herewith served upon you within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

This action is brought by Plaintiff-Intervenor against Defendants, as set forth in the Amended Complaint In Intervention on file herein.

LANCE S. WILSON, CLERK

(SEAL)

APR 20 1997

DATE

CLERK

Case 3:73-cv-00128-RCJ Document 354 Filed 08/16/00 Page 93 of 233

Service of the Summons and Complaint was made by me <sup>1</sup>		DATE <u>8/28/97</u>
NAME OF SERVER (PRINT) <u>Kelvin Buchanan</u>		TITLE
Check one box below to indicate appropriate method of service		

- Served personally upon the defendant. Place where served: George & Susan F. T. @ 5:00 PM
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- Returned unexecuted: \_\_\_\_\_
- Other (specify): \_\_\_\_\_

STATEMENT OF SERVICE FEES		
ITEM	SERVICES	TOTAL
DECLARATION OF SERVER		

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 8/28/97 Date   
 Signature of Server  
P.O.Box 1799, Reno NV 89505  
 Address of Server

WHO DREWITURE made this 13 day of July,  
1994, between SUSAN A. FITZ, a married woman, First Party, and  
GEORGE O. FITZ, a married man, as his sole and separate property,  
of 85 Penrose Lane, Yerington, Nevada 89447, Second Party.

W I T N E S S E T H:

That First Party, for and in consideration of the sum of  
ONE DOLLAR (\$1.00), lawful money of the United States of America,  
to her in hand paid by the said Second Party, the receipt whereof  
is hereby acknowledged, does by these presents revise, release and  
forever quitclaim unto the said Second Party, his heirs and  
assigns forever, all her right, title and interest in and to that  
certain lot, piece, or parcel of land situate in the County of  
Lyon, State of Nevada, and more particularly described as follows,  
to-wit:

PARCEL 1: The Northwest quarter of the  
Southeast quarter and the East 1/2 of the  
Northwest quarter of the Southeast quarter of  
Section 9, Township 14 North, Range 25 East,  
M.D.B.&M.

PARCEL 2: A right-of-way described as  
follows: An undivided 3/12th interest in and  
to a well and pumping plant described as  
follows: BEGINNING at a point 180 feet West  
of the Southeast corner and on the South line  
of the Southeast 1/4 of Southeast 1/4 Section  
9, Township 14 North, Range 25 East,  
M.D.B.&M., running thence first course North  
50 feet; thence 2nd course West 50 feet;  
thence third course South 50 feet; thence  
fourth course East 50 feet to the place of  
beginning, together with the right to convey  
water from the well to the above described  
Parcel One, as more fully described in a  
right-of-way deed dated June 19, 1961, by and  
between Frank M. Compston, Jr., etux, 1st  
parties and H.W. Baker and John D. Hill, 2nd  
parties, and an agreement dated June 19, 1961  
by and between Harold W. Baker, etux, Frank  
N. Compston, Jr., etux, and John B. Hill,  
etux.

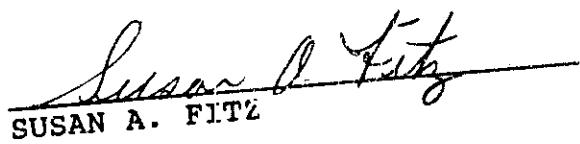
TOGETHER WITH: All water, water rights,  
ditch and ditch rights.

1 ALSO TOGETHER WITH: All water as allocated  
2 to the aforementioned property under well  
3 certificate No. 19840, Nevada State  
4 Department of Water Resources.

5 TOGETHER WITH the tenements, hereditaments and appur-  
6 tenances thereunto belonging or appertaining, and the reversion  
7 and reversions, remainder and remainders, rents, issues and pro-  
8 fits thereof.

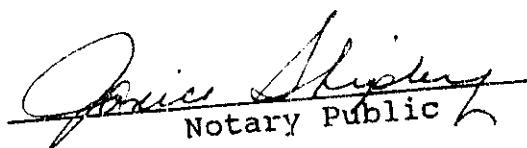
9 TO HAVE AND TO HOLD, all and singular the said premises,  
10 together with the appurtenances, unto said Second Party, his heirs  
11 and assigns forever.

12 IN WITNESS WHEREOF, First Party has hereunto set her hand  
13 the day and year first above written.

14   
15 SUSAN A. FITZ

16  
17 STATE OF NEVADA )  
18 COUNTY OF LYON ) ss.  
19 )

20 On this 14<sup>th</sup> day of July, 1994, before me,  
21 notary public, personally appeared SUSAN A. FITZ, who acknowledged  
22 to me that executed the foregoing Quitclaim Deed.

23   
24 Notary Public  
25

26 173541  
27



QUITCLAIM DEED

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1  
2 THIS INDENTURE made this 8<sup>th</sup> day of May,  
3 1996, between GEORGE O. FITZ, a married man, as his sole and  
4 separate property, First Party, and EDWARD STOCKTON and LINDA A.  
5 STOCKTON, husband and wife, of 171 Highway 95A North, Yerington,  
6 Nevada 89447, Second Parties,

7 W I T N E S S E T H:

8 That First Party, for and in consideration of the sum of  
9 ONE DOLLAR (\$1.00), lawful money of the United States of America,  
10 to him in hand paid by the said Second Parties, the receipt  
11 whereof is hereby acknowledged, does by these presents revise,  
12 release and forever quitclaim unto the said Second Parties, with  
13 the right of survivorship and to the survivor of them, as joint  
14 tenants and not as tenants in common, their assigns, and to the  
15 heirs and assigns of the survivor thereof, all his right, title,  
16 and interest in and to that certain lot, piece, or parcel of land  
17 situate in the County of Lyon, State of Nevada, and more  
18 particularly described as follows, to-wit:

19  
20 Parcel No. 1: The Northeast quarter of the  
21 Southeast quarter and the East 1/2 of the  
22 Northwest quarter of the Southeast quarter of  
23 Section 9, Township 14 North, Range 25 East,  
24 M.D.B.&M.

25 Parcel No. 2: A right-of-way described as  
26 follows: An undivided 3/12th interest in and  
27 to a well and pumping plant described as  
28 follows: BEGINNING at a point 180 feet West  
29 of the Southeast corner and on the South line  
30 of the Southeast 1/4 of Southeast 1/4 Section  
9, Township 14 North, Range 25 East,  
M.D.B.&M., running thence first course North  
50 feet; thence 2nd course West 50 feet;  
thence third course South 50 feet; thence  
fourth course East 50 feet to the place of  
beginning, together with the right to convey  
water from the well to the above described  
Parcel One, as more fully described in a  
right-of-way deed dated June 19, 1961, by and  
between Frank M. Compston, Jr., etux, 1st  
parties and H.W. Baker and John D. Hill, 2nd  
parties and an agreement dated June 19,

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1961, by and between Harold W. Baker, etux,  
Frank M. Compston, Jr., etux, and John B.  
Hill, etux.

TOGETHER WITH: All water, water rights, ditch and ditch  
rights.

ALSO TOGETHER WITH: All water as allocated  
to the aforementioned property under well  
certificate No. 19840, Nevada State  
Department of Water Resources.

APN: 14-191-08

TOGETHER WITH the tenements, hereditaments and appurte-  
nances thereunto belonging or appertaining, and the reversion and  
reversions, remainder and remainders, rents, issues and profits  
thereof.

TO HAVE AND TO HOLD, all and singular the said premises,  
together with the appurtenances, unto the said Second Parties,  
with the right of survivorship and to the survivor of them, as  
joint tenants and not as tenants in common, their assigns, and to  
the heirs and assigns of the survivor thereof.

IN WITNESS WHEREOF, First Party has hereunto set his hand  
the day and year first above written.



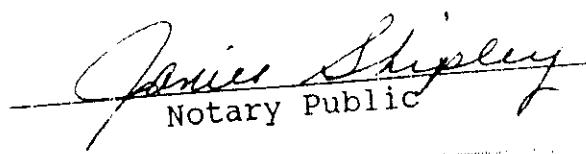
GEORGE O. FITZ

STATE OF NEVADA )  
COUNTY OF NEVADA ) ss.  
)

On this 8<sup>th</sup> day of May, 1996, before me,  
a notary public, personally appeared GEORGE O. FITZ, who  
acknowledged to me that he executed the foregoing Quitclaim Deed.

193088

JANICE SHIPLEY  
NOTARY PUBLIC  
LYON COUNTY, NEV.  
REGISTERED BY



Janice Shipley  
Notary Public

RECORDING REQUESTED BY  
AND WHEN RECO' ED  
RECORDED BY  
SUSAN A. FITZ  
85 Penrose Lane  
Yerington, NV 89447

MAIL TAX STATEMENTS TO:

SUSAN A. FITZ  
85 Penrose Lane  
Yerington, NV 89447

RPTT # 8  
APN 14-221-10

**QUITCLAIM DEED**  
THIS CONVEYANCE TRANSFERS THE GRANTOR'S INTEREST INTO HIS OR HER  
REVOCABLE LIVING TRUST.

THE UNDERSIGNED GRANTOR DECLARES DOCUMENTARY TAX is \$0, and FOR N  
VALUABLE CONSIDERATION. SUSAN A. FITZ, hereby remises, releases and forever QUITCLAI  
her share of the described real property to Susan A. Fitz, Trustee of SUSAN A. FITZ SEPARAT  
PROPERTY TRUST dated JUN 12 2000, for the benefit of SUSAN A. FITZ, the followi  
described real property in the County of Lyon, State of Nevada

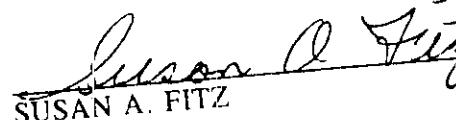
[X] See Attachment for Legal Description

OR

(Legal Description)

Commonly known as: 85 Penrose Lane, Yertington, Nevada 89447  
(Street Address/City/State/Zip)  
Parcel Number: 14-221-10  
(On Property Tax Statement)

This Quitclaim Deed Signed On: JUN 12 2000  
(Date)

  
SUSAN A. FITZ

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

State of Nevada )  
County of Lyon )

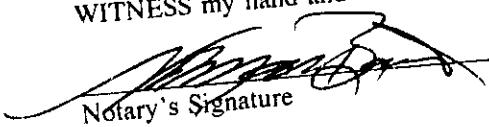
On JUN 12 2000, before me,

**NORMAN W. BASSETT**

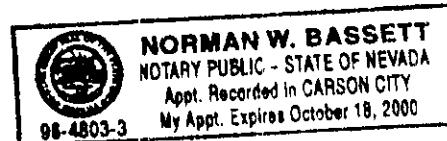
(Insert name and title of the officer)

SUSAN A. FITZ, personally known to me (or proved to me on the basis of satisfactory evidence) to be the  
whose name is subscribed to the within instrument and acknowledged to me that she executed the same  
authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of whom  
person acted, executed the instrument.

WITNESS my hand and official seal.



(SEAL)



This instrument was drafted by Legacy Prepaid Legal Program (858) 453-2553

249015

The undersigned (Grantor) declare(s) that

Documentary transfer tax is \$ 380.90.

( ) computed on full value of property conveyed, or

( ) computed on full value less value of liens and encumbrances remaining at time of sale, and

( ) unincorporated area ( ), City of .....

( ) Realty not sold.

THIS INDENTURE WITNESSETH: That SHARON DICKINSON LUPORI, Trustee of the Sharon  
Dickinson Lupori Trust, dated January 23, 1990

in consideration of \$ 10.00, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and

Convey to GEORGE O. FITZ and SUSAN A. FITZ, husband and wife, as joint tenants.

County of Lyon

all that real property situate in the  
State of Nevada, bounded and described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise  
appertaining.

Witness my hand this 2nd day of September, 1992

STATE OF NEVADA }  
COUNTY OF Lyon } SS.

On September 11, 1992  
personally appeared before me, a Notary Public,  
Sharon Dickinson Lupori

who acknowledged that she executed the above instrument.

Signature

Roseann Campbell  
(Notary Public)

WHEN RECORDED MAIL TO:  
Mr. and Mrs. George O. Fitz  
P.O. Box 193  
Yerington, NV. 89447

**EXHIBIT "A"**

All those certain lots, pieces or parcels of land situate in the County of Lyon, State of Nevada, more particularly described as follows:

PARCEL #1: The Northeast quarter of the Southeast quarter and the  
East 1/2 of the Northwest quarter of the Southeast quarter of Section  
9, Township 14 North, Range 25 East, M.D.B.&M.  
All those certain lots, parcels, areas and parts thereof, described as follows: An undivided 3/12th

PARCEL #2: A right-of-way described as follows: An undivided 3/12th interest in and to a well and pumping plant described as follows: BEGINNING at a point 180 feet West of the Southeast corner and on the South line of the Southeast 1/4 of Southeast 1/4 Section 9, Township 14 North, Range 25 East, M.D.B.&M., running thence first course North 50 feet; thence 2nd course West 50 feet; thence third course South 50 feet; thence fourth course East 50 feet to the place of beginning, together with the right to convey water from the well to the above described Parcel One, as more fully described in a right-of-way deed dated June 19, 1961, by and between Frank M. Compston, Jr. etux, 1st parties and H.W. Baker and John D. Hill, 2nd parties, and an agreement dated June 19, 1961 by and between Harold W. Baker, etux, Frank M. Compston, Jr., etux, and John B. Hill, etux. *SL*

TOGETHER WITH: All water, water rights, ditch and ditch rights.  
to the aforementioned

TOGETHER WITH: All water, water rights,  
ALSO TOGETHER WITH: All water as allocated to the aforementioned  
property under well certificate No. 19840 , Nevada State  
Department of water resources.

**155026**  
CITIZENAL RECORDS  
LINN COUNTY, NEV.  
RECORD REQUESTED BY  
**NORTHERN NEVADA TITLE CO**  
2 SEP 17 PM 3 14

NANCY M. CARR  
COUNTY RECORDER  
FEE ~~100~~ - DEP - KN

Stockton, Lincoln

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 101 of 233

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, POLAHA, SPOO, HEARNE & PICKER  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
6 Telephone: (702) 323-5700  
  
7 Attorneys for Intervenor,  
8 MINERAL COUNTY NEVADA

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA,

)  
13 Plaintiff,

) In Equity No. C-125-ECR  
14 ) Subfile No. C-125-C

15 WALKER RIVER PAIUTE TRIBE,

) RETURN OF SERVICE

16 Plaintiff-Intervenor,

17 vs.

18 WALKER RIVER IRRIGATION DISTRICT,  
19 a corporation, et al.;

20 Defendants.

21 -----  
22 MINERAL COUNTY,

23 Proposed-Plaintiff-Intervenor,

24 vs.

25 WALKER RIVER IRRIGATION DISTRICT,  
26 a corporation, et al.

27 -----  
28 I Kelvin Buchanan, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Polaha, Spoo, Hearne & Picker  
575 Forest Street, Suite 200  
Reno, Nevada 89509

Tel.: (702) 323-5700 FAX: (702) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: Linda A. Stockton (Print name of person served)  
4

5 of: \_\_\_\_\_ (Title and company where applicable)  
6

7 on: 2/4/98 (Date of service)  
8

at: 11:15 AM (Time of service)

9 at the following place:  
10

171 North Hwy. 95A (Address or location)  
11 Yerington NV

in the following manner:

12  served personally

13  left copies

14  unable to execute service (why) \_\_\_\_\_  
15 \_\_\_\_\_.

16  other (specify) \_\_\_\_\_  
17 \_\_\_\_\_.

18 Remarks: \_\_\_\_\_  
19 \_\_\_\_\_.  
20 \_\_\_\_\_.

21 I declare under penalty of perjury under the laws of the United States of America that the  
22 foregoing information in this Return of Service is true and correct.  
23

24 2/4/98  
25 Date

Signature of Server

Box 1799

Yer NV 89505

26 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14  
27  
28

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, POLAHA, SPOO, HEARNE & PICKER  
4 575 Forest Street, Suite 200  
Reno, Nevada 89509  
Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

**UNITED STATES DISTRICT COURT**

DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA.

**Plaintiff,**

## **WALKER RIVER PAIUTE TRIBE,**

**Plaintiff-Intervenor,**

vs.

## **WALKER RIVER IRRIGATION DISTRICT.**

-----

## MINERAL COUNTY.

**Proposed-Plaintiff-Intervenor**

vs

## WALKER RIVER IRRIGATION DISTRICT

a corporation, et al.

In Equity No. C-125-ECR  
Subfile No. C-125-C

## RETURN OF SERVICE

28 I Kelvin Buchanan, hereby certify that service of process of Mineral  
(Print name of server)

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: Edward Stockton (Print name of person served)

4 of: HS (Title and company where applicable)

5 on: 2/1/98 (Date of service)

6 at: 11:15 AM (Time of service)

7 at the following place:

8 171 North Hwy 95 A (Address or location)  
9 Yerington NV

10 in the following manner:

11  served personally

12  left copies

13  unable to execute service (why) \_\_\_\_\_

14  other (specify) Linda A. Stockton, wife, accepted  
15 \_\_\_\_\_

16 Remarks: \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_

19 I declare under penalty of perjury under the laws of the United States of America that the  
20 foregoing information in this Return of Service is true and correct.

21 Date

22 2/1/98

23 Signature of Server

24 Box 1799

25 Keno NV 89505

26 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

**FRIEDHOFF**

Friedhoff, Helz, - FRIEDHOFF  
( orge Friedhoff)

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SPOO & HEARNE  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
Telephone: (702) 323-5700

6 Attorneys for Intervenor,  
MINERAL COUNTY NEVADA

7

8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 13 UNITED STATES OF AMERICA,

)  
Plaintiff, ) In Equity No. C-125-ECR  
WALKER RIVER PAIUTE TRIBE, ) Subfile No. C-125-C

14 )  
15 ) RETURN OF SERVICE  
16 Plaintiff-Intervenor, )  
17 )  
18 vs. )  
19 WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al.; )  
20 )  
21 Defendants. )  
----- )

22 MINERAL COUNTY,

23 Proposed-Plaintiff-Intervenor, )  
24 )  
25 vs. )  
26 WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al. )  
----- )

27  
28 I CINDY DURAN, hereby certify that service of process of Mineral  
(Print name of server)

11, SPOO & HEARNE  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

2 Lieu of Summons

3 upon: HELEN FRIEDHOFF, heir to  
(Print name of person served)

4 of: George Friedhoff (Title and company where applicable)

5 on: 7-22-99 (Date of service)

6 at: 7:00 pm. (Time of service)

7 at the following place:

8 1.95 HIGHWAY 208 (Address or location)

9 in the following manner:

10  served personally

11  left copies

12  unable to execute service (why) \_\_\_\_\_

13  other (specify) \_\_\_\_\_

14 \_\_\_\_\_

15 Remarks: \_\_\_\_\_

16 \_\_\_\_\_

17 I declare under penalty of perjury under the laws of the United States of America that the

18 foregoing information in this Return of Service is true and correct.

19 7-23-99

20 Date



21 Signature of Server

22 575 FOREST ST. SUITE 200

23 RENO, NV 89509

24 (Address of Server)

25 C:\MyFiles\CLIENTS\Mineral\P-ReturnJ14

**GABLE**

DEED

THIS INDENTURE made and entered into this 11<sup>th</sup> day of  
January, 1990, by and between DON R. GABLE, a single  
party of the first part, and DON RAY GABLE, Trustee of the  
RAY GABLE TRUST, dated July 26, 1990, party of the second  
part.

W I T N E S S E T H :

That the party of the first part, for valuable consideration  
, him paid by the party of the second part, the receipt whereof  
is hereby acknowledged, does by these presents grant, bargain,  
sell and convey unto the party of the second part, and to its  
successors and assigns forever, all that certain property situate  
in the County of Lyon, State of Nevada, more particularly  
described as follows:

SEE EXHIBIT "A" ATTACHED HERETO, (located in) FR SW  
1/4, SW 1/4, Sec 29 & NW 1/4, Sec 29, T14N, R26E,  
MDB&M located about 6 miles NE of Yerington,  
Nevada.

SEE EXHIBIT "A" ATTACHED HERETO.

TOGETHER WITH all and singular the tenements, hereditaments  
and appurtenances thereunto belonging, or in any wise  
appertaining, and the reversion and reversions, remainder and  
remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the said presents, together with the  
appurtenances, unto the said party of the second part and to its  
successors and assigns forever.

IN WITNESS WHEREOF, the party of the first part has set his  
hand the day and year first above written.

  
DON R. GABLE

APN 143-40-000

## GRANT, BARGAIN AND SALE DEED

THIS INDENTURE WITNESSTH: That

DON RAY GABLE, Trustee of the DON RAY GABLE TRUST, Dated July 26, 1990.

in consideration of \$10.00, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey to

DON RAY GABLE, a formerly married man

and to the heirs and assigns of such Grantee forever, all that real property situated in the County of LYON, State of Nevada, bounded described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and reversions, remainders, rents, issues or profits thereof.

Witness my hand this 20TH day of JUNE, 1991.

*Don Ray Gable Trustee*

Authorized Agent

STATE OF NEVADA )

)

COUNTY OF DOUGLAS ) :SS

)

On June 26, 1991 )

Don Ray Gable Trustee personally appeared before me, a Notary

personally known or proved to me to be the persons whose names subscribed to the above instrument who acknowledged that they the same for the purposes therein stated.

*Rita M. Swart*  
Notary PublicWHEN RECORDED MAIL TO:  
DON RAY GABLE  
#2 GABLE LANE  
YERINGTON, NV 89447The Grantor(s) declare(s):  
Document Transfer Tax is \$0.00 #3MAIL TAX STATEMENTS TO:  
SAME AS ABOVE

ORDER NO: 91050666

APN 14-391-06

## GRANT, BARGAIN AND SALE DEED

THIS INDENTURE WITNESSTH: That  
 DON RAY GABLE, Trustee of the DON RAY GABLE TRUST, Dated July 26,  
 1990.

in consideration of \$10.00, the receipt of which is hereby  
 acknowledged, does hereby Grant, Bargain, Sell and Convey to

DON RAY GABLE, a formerly married man

and to the heirs and assigns of such Grantee forever, all that real  
 property situated in the County of LYON, State of Nevada, bounded and  
 described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together with all and singular the tenements, hereditaments and  
 appurtenances thereunto belonging or in anywise appertaining, and  
 and reversions, remainders, rents, issues or profits thereof.

Witness my hand this 20TH day of JUNE, 1991.

*Don Ray Gable Trustee*

Authorized Agent

STATE OF NEVADA

)

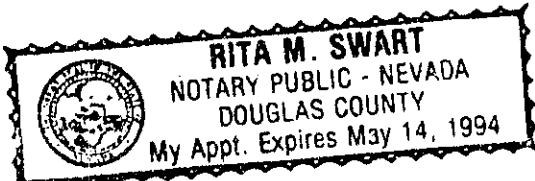
:SS

COUNTY OF DOUGLAS

)

On June 20, 1991, Don Ray Gable Trustee, personally appeared before me, a Notary Public  
 personally known or proved to me to be the persons whose names are  
 subscribed to the above instrument who acknowledged that they exec-  
 the same for the purposes therein stated.

*Rita M. Swart*  
 Notary Public



WHEN RECORDED MAIL TO:  
 DON RAY GABLE  
 #2 GABLE LANE  
 YERINGTON, NV 89447

The Grantor(s) declare(s):  
 Transfer Tax is \$0.00 #3

**Exhibit "A"**

A parcel of land located in the NE 1/4 of the NE 1/4 of Section 10, T.14N., R.25E..  
M.D. B.&M., Lyon County, Nevada, described as follows:

BEGINNING at the NW corner of the parcel which is located on the South side of  
Penrose Lane, said point being South 89°28' 30" East, 3514.05 feet, and South  
0°20'00" East, 30.00 feet, from the Northwest corner of said section 10 thence; South  
0°20'00" East, 660.00 feet, thence South 89°28'30" East, 219.63 feet; thence North  
0°20'00" West, 660.00 feet, thence North 89°28'30" West, 219.63 feet, to the point of  
beginning.

**249015**

OFFICIAL RECORDS  
LYON COUNTY, NEV.  
RECORD REQUESTED BY

*Susan A. Tu*  
00 JUN 13 PM 3:0

MARY C. MILLIGAN  
COUNTY RECORDER

FEE 8 00 DEP. DCL

**GIODO**

Ms. Anna Nannini  
Heir to Guido Nannini, Joseph Giodo and  
Virginia Giodo  
August 1, 2000  
Page 2

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Thank you in advance for your anticipated cooperation with this matter. If you should have any questions or comments, please do not hesitate to contact either myself or my secretary, Carol, at (775) 323-5700.

Sincerely yours,

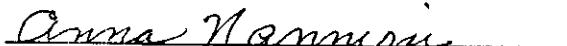
ZEH, SPOO & HEARNE

  
TREVA J. HEARNE

TJH/ce

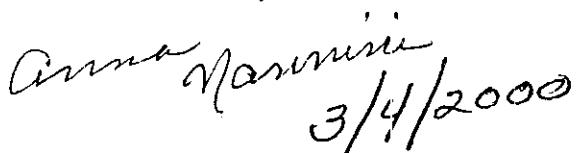
I, Anna Nannini, am the sole heir to Guido Nannini and Joseph and Virginia Giodo, and their water rights did revert to me, as their sole heir. See Note below

Dated: August \_\_\_, 2000

  
ANNA NANNINI

S:\CarolE\Mineral\L-Nannini.Anna

Per our conversation, Joseph Giodo and myself (Anna Nannini) currently own the property in question in Yerington. My husband Guido Nannini passed away 12/23/87 and my sister Virginia Giodo passed away 2/29/88. Therefore Joseph Giodo (my brother) and myself are the sole heirs.

  
3/1/2000

Also admitted in California, Minnesota,  
Washington, D.C., and Missouri

**WASHOE COUNTY DISTRICT HEALTH DEPARTMENT**  
**VITAL STATISTICS**  
Reno, Nevada

**STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH — SECTION OF VITAL STATISTICS  
CERTIFICATE OF DEATH**

ROLL 65 IMAGE 324

359

TYPE ON PRINT IN ENVELOPE DUCK BNE	LOCAL FILE NUMBER <b>359</b>				STATE FILE NUMBER <b>Washoe</b>
DECEDENT  <small>8 DEATH DECEASED IN INSTITUTION SICK HOUSE HOSPITAL REHABILITATION COMPLEX OR RESIDENTIAL HOME</small>	DECEASED—NAME <b>Virginia May Giodo</b>		DATE OF DEATH (Month Day Year) <b>February 29, 1988</b>		COUNTY OF DEATH <b>Washoe</b>
	CITY, TOWN, OR LOCATION OF DEATH <b>Reno</b>	HOSPITAL OR OTHER INSTITUTION—NAME IF NOT OTHER, give street and number <b>St. Mary's Hospital</b>	INSIDE CITY LIMITS <b>yes</b>	OUTSIDE CITY LIMITS <b>Inpatient</b>	IF HOSP. OR INPAT. INDICATE DIAH. CP (Enter Per Inpatient (Specify)) <b>None</b>
PARENTS  <small>FATHER—NAME MOTHER—MAIDEN NAME</small>	AGE—Last Birthday (Years) <b>64</b>	UNDER 1 YEAR MOS : DAYS <b>06 : 00</b>	UNDER 1 DAY HOURS : MINNS <b>00 : 00</b>	DATE OF BIRTH (Mo Day Yr) <b>May 2, 1923</b>	SEX <b>Female</b>
	ETHNIC <b>White</b>	CITIZEN OF WHAT COUNTRY <b>Italian</b>	MARRIED NEVER MARRIED WIDOWED DIVORCED <b>Never married</b>	SURVIVING SPOUSE IF WIFE GAVE MASTERNUMBER <b>11</b>	MAS DECEDENT EVER IN U.S. ARMED FORCES <b>No</b>
DISPOSITION  <small>BURIAL, CREMATION, REMOVAL, OTHER (Specify)</small>	SOCIAL SECURITY NUMBER <b>13 530-10-6510</b>		USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even if Retired) <b>Bookkeeper</b>		KIND OF BUSINESS OR INDUSTRY <b>Manufacturing</b>
	RESIDENCE—STATE <b>Nevada</b>	COUNTY <b>Washoe</b>	CITY, TOWN, OR LOCATION <b>Sparks</b>	STREET AND NUMBER <b>1026 "F" Street</b>	INSIDE CITY LIMITS <b>yes</b>
CERTIFIER  <small>NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, MEDICAL EXAMINER OR CORONER) (Type or Print)</small>	FATHER—NAME <b>Sam Giodo</b>	MIDDLE NAME <b>Giodo</b>	MOTHER—MAIDEN NAME <b>Mary</b>	CITY OR TOWN <b>Chicago</b>	
	MAILING ADDRESS <b>1026 "F" Street, Sparks, Nevada 89431</b>		(Street or R.F.D. No., City or Town, State, Zip)		
CAUSE OF DEATH  <small>PART I PART II PART III PART IV PART V PART VI PART VII PART VIII PART IX PART X PART XI PART XII PART XIII PART XIV PART XV PART XVI PART XVII PART XVIII PART XVIX PART XX PART XXI PART XXII PART XXIII PART XXIV PART XXV PART XXVI PART XXVII PART XXVIII PART XXIX PART XXX PART XXXI PART XXXII PART XXXIII PART XXXIV PART XXXV PART XXXVI PART XXXVII PART XXXVIII PART XXXIX PART XXXX PART XXXXI PART XXXXII PART XXXXIII PART XXXXIV PART XXXXV PART XXXXVI PART XXXXVII PART XXXXVIII PART XXXXIX PART XXXX</small>	BURIAL, CREMATION, REMOVAL, OTHER (Specify) <b>Entombment</b>		CEMETERY OR CREMATORIAL NAME <b>Our Mother of Sorrows</b>		
	FUNERAL DIRECTOR—SPECIFY NAME OR PERSON ACTING AS SUCH <b>John A. Shields, M.D.</b>		LOCATION <b>Reno, Nevada</b>		
CERTIFIER  <small>NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, MEDICAL EXAMINER OR CORONER) (Type or Print)</small>	21a To the best of my knowledge, death occurred at the time date and place and due to the cause(s) stated  <i>(Signature and Title)</i> <b>John A. Shields, M.D.</b>		22a On the basis of examination and/or investigation, in my opinion death occurred at the time date and place and due to the cause(s) stated  <i>(Signature and Title)</i> <b>John A. Shields, M.D.</b>		
	DATE SIGNED (Mo Day Yr) <b>3-4-88</b>	HOUR OF DEATH <b>0556</b>	DATE SIGNED (Mo Day Yr) <b>3-4-88</b>	HOUR OF DEATH <b>0556</b>	
21b NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print) <b>John A. Shields, M.D.</b>		22b PRONOUNCED DEAD (Mo Day Yr) <b>3-4-88</b>		PRONOUNCED DEAD (Hours) <b>0556</b>	
21c NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, MEDICAL EXAMINER OR CORONER) (Type or Print) <b>John A. Shields, M.D., 236 West 6th Street, Reno, Nevada 89503</b>		22d ON		22e AT	
REGISTRAR  <i>John A. Shields</i>		DATE RECEIVED BY REGISTRAR (Mo Day Yr) <b>March 4, 1988</b>		DEATH DUE TO COMMUNICABLE DISEASE <b>No</b>	
24a (Signature) <b>John A. Shields</b>		24b DATE RECEIVED BY REGISTRAR (Mo Day Yr) <b>March 4, 1988</b>		24c YES: NO: <b>NO</b>	
25 IMMEDIATE CAUSE <b>Breast Ca with Liver Failure more</b>				interval between onset and death	
PART I (a) DUE TO OR AS A CONSEQUENCE OF  (b) DUE TO OR AS A CONSEQUENCE OF  (c) DUE TO OR AS A CONSEQUENCE OF				interval between onset and death	
PART II OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not related to cause given in PART I (b)		AUTOPSY <b>No</b>		27 WAS CASE REFERRED TO CORONER (Specify Yes or No) <b>No</b>	
PART III ARE SUICIDE HOM UNDET. ON PENDING INVEST (Specify) <b>28b</b>		DATE OF INJURY (Mo Day Yr) <b>28b</b>	HOUR OF INJURY <b>28c</b>	DESCRIBE HOW INJURY OCCURRED <b>28d</b>	
PART IV INJURY AT WORK (Specify Yes or No) <b>28e</b>		PLACE OF INJURY—At home, farm, street, factory, office <b>Building etc (Specify)</b>		LOCATION <b>28g</b>	
				STREET OR R.F.D. NO. CITY OR TOWN STATE	

**N° 75184****VITAL RECORDS**

This is to certify that the above is a true and legal copy of the certificate on file in this office.

Deputy Registrar:

AUG - 4 2000

Date:

**HUNEWILL**

RPTI-#7.20

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 117 of 233

D E E D

THIS INDENTURE made this 25th day of August 1988, between LTR ENTERPRISES, a Nevada Partnership, of Yerington, Lyon County, Nevada, First Party, and HARVEY E. HUNEWILL and PHYLLIS P. HUNEWILL, Co-Trustees of the HARVEY E. HUNEWILL and PHYLLIS P. HUNEWILL TRUST, of #10 Artist View Drive, Wellington, Nevada, Second Parties.

W I T N E S S E T H:

That First Party, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the said Second Parties, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, and convey and confirm unto the said Second Parties, as co-trustees as set forth above, an undivided twenty-five percent (25%) interest all its right, title and interest in and to that certain lot, piece or parcel of land situate in the County of Lyon, State of Nevada, and more particularly described as follows, to-wit:

Commencing at the Northeast corner of Section 21, Township 13 North, Range 25 East, Mount Diablo Base and Meridian, thence South 84°12'55" West 318.54 feet to the point of beginning; thence South 88°57'08" East 144.17 feet to the centerline of Walker River; thence along Walker River, South 07°48'18" West 197.65 feet;

thence South 07°11'32" West 236.80 feet  
thence South 03°08'15" West 212.09 feet  
thence South 00°09'56" East 87.18 feet  
thence South 16°24'49" East 76.46 feet  
thence South 06°59'01" East 173.39 feet  
thence South 00°56'29" East 140.04 feet  
thence South 25°46'32" West 146.98 feet  
thence South 43°28'05" West 220.98 feet  
thence South 46°35'23" West 111.79 feet  
thence South 43°09'17" West 119.44 feet  
thence South 30°59'22" West 113.49 feet

QUITCLAIM DEED

1 THIS INDENTURE, made this 24th day of February, 1990,  
2 between HARVEY E. HUNEWILL, also known as HARVEY HUNEWILL, also  
3 known as H. E. HUNEWILL, and PHYLLIS P. HUNEWILL, also known as  
4 PHYLLIS HUNEWILL, husband and wife, of Lyon County, Nevada, First  
5 Parties, and HARVEY E. HUNEWILL and PHYLLIS P. HUNEWILL, also  
6 known as PHYLLIS M. HUNEWILL, Co-Trustees of THE HARVEY E.  
7 HUNEWILL AND PHYLLIS P. HUNEWILL TRUST, dated October 9, 1984,  
8 Second Parties,

W I T N E S S E T H:

10 That First Parties, for and in consideration of the sum  
11 of ONE DOLLAR (\$1.00), lawful money of the United States of  
12 America, to them in hand paid by the said Second Parties, the  
13 receipt whereof is hereby acknowledged, do by these presents,  
14 revise, release and forever quitclaim unto the said Second  
15 Parties, as Co-Trustees as set forth above, all their right,  
16 title, and interest in and to that certain lot, piece or parcel  
17 of land situate in the County of Lyon, State of Nevada, and more  
18 particularly described as follows, to-wit:

PARCEL ONE - A Portion of #10-741-12

19 Township 10 North, Range 24 East, M.D.B.&M.  
20 Section 20: Northeast quarter of Southeast quarter.  
21 Section 21: West half of Northwest quarter of  
22 Southwest quarter

PARCEL TWO - A Portion of #10-741-12

23 Township 10 North, Range 24 East, M.D.B.&M.  
24 Section 21: East 1/2 of NW1/4 of SW 1/4.

PARCEL THREE - A Portion of #9-101-17

25 Lot 28, as shown on the Official Map of Artist  
26 View Subdivision No. 1, filed in the Office of  
27 Recorder of Lyon County, Nevada, on  
28 File No. 5508.

D E E D

THIS INDENTURE made this 25<sup>th</sup> day of August,

between LTR ENTERPRISES, a Nevada Partnership, of  
ington, Lyon County, Nevada, First Party, and HARVEY E.  
ILL and PHYLLIS P. HUNEWILL, Co-Trustees of the HARVEY E.  
NILL and PHYLLIS P. HUNEWILL TRUST, of #10 Artist View Drive,  
ington, Nevada, Second Parties.

W I T N E S S E T H:

That First Party, for and in consideration of the sum of  
N DOLLARS (\$10.00), lawful money of the United States of  
merica, and other good and valuable consideration, to it in hand  
aid by the said Second Parties, the receipt whereof is hereby  
cknowledged, does by these presents grant, bargain, sell, and  
convey and confirm unto the said Second Parties, as co-trustees  
as set forth above, an undivided twenty-five percent (25%) interest in  
all its right, title and interest in and to that certain lot, piece  
or parcel of land situate in the County of Lyon, State of Nevada,  
and more particularly described as follows, to-wit:

Commencing at the Northeast corner of Section 21, Township  
13 North, Range 25 East, Mount Diablo Base and Meridian,  
thence South 84°12'55" West 318.54 feet to the point of  
beginning; thence South 88°57'08" East 144.17 feet to the  
centerline of Walker River; thence along Walker River,  
South 07°48'18" West 197.65 feet;

thence South 07°11'32" West 236.80 feet  
thence South 03°08'15" West 212.09 feet  
thence South 00°09'56" East 87.18 feet  
thence South 16°24'49" East 76.46 feet  
South 06°59'01" East 173.39 feet  
South 06°29'29" East 140.04 feet  
South 06°29'29" East 146.98 feet

**JENKINS**

JENKINS, LARRY - Heir to  
Toupe Jenkins

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 **ZEH, SPOO & HEARNE**  
4 575 Forest Street, Suite 200  
Reno, Nevada 89509  
Telephone: (775) 323-5700

5  
6 Attorneys for Intervenor,  
MINERAL COUNTY NEVADA  
7  
8

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 \* \* \*

12  
13 UNITED STATES OF AMERICA, )  
14 Plaintiff, ) In Equity No. C-125-ECR  
15 WALKER RIVER PAIUTE TRIBE, ) Subfile No. C-125-C  
16 Plaintiff-Intervenor, )  
17 vs. )  
18 ) WAIVER OF PERSONAL  
19 WALKER RIVER IRRIGATION DISTRICT, ) SERVICE OF MOTIONS  
20 a corporation, et al.; )  
21 Defendants. )  
22 ----- )  
23 MINERAL COUNTY, )  
24 Proposed-Plaintiff-Intervenor, )  
25 vs. )  
26 )  
27 WALKER RIVER IRRIGATION DISTRICT, )  
28 a corporation, et al. )

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 TO: ZEH, SPOO & HEARNE, attorneys for proposed Plaintiff/Intervenor, Mineral  
2 County, Nevada

3 I acknowledge receipt of your request that I waive personal service of the  
4 documents involving the motion to intervene of Mineral County, Nevada, in the action of  
5 United States of America, *Plaintiff v. Walker River Irrigation District, et al.*, Defendants,  
6 which is Case No. C-125, Subfile No. C-125-C, in the United States District Court for the  
7 District of Nevada. I have also received a copy of the motion to intervene of Mineral  
8 County, the proposed complaint-in-intervention of Mineral County, the motion for  
9 preliminary injunction of Mineral County, and the Order Requiring Service of and  
10 Establishing Briefing Schedule Regarding the Motion to Intervene of Mineral County,  
11 along with two copies of this Waiver. I have also received a means by which I can return  
12 this signed waiver to you without cost to me.  
13

14 I agree to save the cost of personal service of the documents, as above-described,  
15 by not requiring that I (or the entity on whose behalf I am acting) be served with judicial  
16 process in the manner provided by Federal Rules of Civil Procedure, Rule 4. I (or the  
17 entity on whose behalf I am acting) will retain all defenses or objections to this matter or  
18 to the jurisdiction or venue of the Court except for objections based on a defect, if any, in  
19 the manner in which these documents have been provided to me.  
20

21 I understand, that if I (or the entity on whose behalf I am acting) do not appear and  
22 respond to the motion to intervene, by August 23, 1999, and if the Court enters further  
23 orders with respect to answers or other responses to the proposed complaint-in-intervention  
24 or responses to the Motion for Preliminary Injunction, that I (or the entity on whose behalf  
25

1 I am acting) shall nevertheless be deemed to have notice of those subsequent orders of the  
2 Court.  
3

4 DATED this 8 day of June, 1999.  
5

6   
(Signature)  
7

8 Larry D. Jenkins, heir  
9 (Printed name and title, if any)  
10

11 to Joyce Jenkins  
12 (Company or entity, if any)  
13  
14  
15  
16  
17  
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24  
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27  
28

## **JUNCTION RANGE**

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 125 of 233

00299

Recording requested by  
and when recorded, mail to  
and mail tax statements to:  
William Jac Shaw, Esq.  
Brooke & Shaw, Ltd.  
P.O. Box 2860  
Minden, NV 89423

UIC 755 PGS 470-  
473

RECORDED IN MONO  
COUNTY CALIFORNIA

97 JAN 21 PM 2 54

\$16.00  
M.S. \$10.00

QUITCLAIM DEED

THIS INDENTURE WITNESSETH: That for a valuable consideration, receipt of which is hereby acknowledged, BENTLY NEVADA CORPORATION (Grantor), does hereby remise, release, and quitclaim to BENTLY FAMILY LIMITED PARTNERSHIP, a Nevada limited partnership (Grantees), of P.O. Box 127, Minden, Nevada, its one-half interest in and to all that real property in the County of Mono, State of California, being Assessor's Parcel Numbers 06-110-05, 06, 09 and 16; 06-130-01; and, 06-140-02, 04, 05 and 14, and more specifically described in Exhibit "A", attached hereto and incorporated herein by reference.

TOGETHER WITH any and all water rights, whether decreed or permitted, geothermal rights, gas, oil or hydrocarbon, appurtenant to the real property described in Exhibit "A".

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 126 of 233

profits thereof.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Grantees, and to their successors and assigns forever.

Witness my hand this 20<sup>th</sup> day of December, 1996.

BENTLY NEVADA CORPORATION

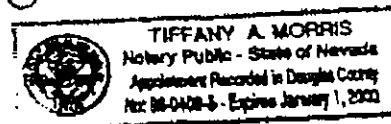
By:

DONALD E. BENTLY,  
Its Chairman and CEO

STATE OF NEVADA                           })  
COUNTY OF DOUGLAS                         }) ss.  
                                                }

On 20 December, 1996, before me, a notary public, personally appeared DONALD E. BENTLY of BENTLY NEVADA CORPORATION, a Nevada corporation, personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.

Tiffany A. Morris  
Notary Public



**L.T.R. ENTERPRISES**

The undersigned grantor(s) declares

Documentary transfer tax is \$22.00.

computed on full value of property conveyed; or

computed on full value less value of liens and encumbrances remaining at time of sale

Unincorporated area;  City of \_\_\_\_\_, and \_\_\_\_\_, \_\_\_\_\_.

Realty not sold

THIS INDENTURE WITNESSETH: That L.T.R. ENTERPRISES, a Partnership

in consideration of \$ 10.00, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell Convey to GARY D. MORGAN and MARIANNE MORGAN, husband and wife as Joint Tenants

all that real property situate in the \_\_\_\_\_ County of Lyon  
State of Nevada, bounded and described as follows:

The NORTHEAST 1/4 of the SOUTHWEST 1/4 of Section 32, Township 14 North, Range 25  
East, M.D.& M. 14

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness: our hand s this 14th day of April, 1

L.T.R. ENTERPRISES, a Partnership

STATE OF NEVADA  
COUNTY OF LYON } ss.

On 4-25-00

personally appeared before me, a Notary Public, Thomas J. Grady,  
Ray Aiazzi and Lawrence C. Masini, known to me to be the  
General Partners of the Partnership that executed

By: Thomas J. Grady, General Partner  
Ray Aiazzi, General Partner  
Lawrence C. Masini, General Partner

# Quitclaim Deed

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 129 of 233

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$.....

( ) computed on full value of property conveyed, or

( ) computed on full value less value of liens and encumbrances remaining at time of sale.

( ) Unincorporated area: ( ) City of....., and

(X) Realty not sold.

In consideration of \$ 10.00, receipt of which is acknowledged L.T.R. ENTERPRISES

do.es hereby quitclaim to VINCENT DYE and KATHLEEN DYE, husband and wife as joint tenants

the real property in the

County of LYON State of Nevada, described as:

All rights to that certain water right in the Northwest quarter of the Southwest quarter of Section 4, Township 13 North, Range 25 East, M.D.B.&M. under Permit No. 45858.

Witness our hands this 16<sup>th</sup> day of November, 1990.

STATE OF NEVADA,  
COUNTY OF Lyon { ss.  
On 16<sup>th</sup> of Nov. 1990 personally  
appeared before me, a Notary Public,  
LARRY MASINI, RAY AIAZZI and  
TOM GRADY

L.T.R. ENTERPRISES

LARRY MASINI

RAY AIAZZI

TOM GRADY

→ If executed by a Corporation the Corporation Form of Acknowledgment must be used.

Signature Domenic J. Simeone  
(Notary Public)

Escrow No. \_\_\_\_\_

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$..... *37.50*

( ) computed on full value of property conveyed, or

( ) computed on full value less value of liens and encumbrances remaining at time of sale.

( ) Unincorporated area: ( ) City of....., and

( ) Realty not sold.

In consideration of \$ 10.00, receipt of which is acknowledged L.T.R. ENTERPRISES,

a Partnership \_\_\_\_\_

does hereby quitclaim to VINCENT DYE and KATHLEEN DYE, husband and wife  
as joint tenants \_\_\_\_\_

the real property in the

County of Lyon State of Nevada, described as:

ALL RIGHTS TO THAT CERTAIN WATER RIGHT IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 13 NORTH, RANGE 25 EAST, M.D.B. & M., UNDER PERMIT NO. 22060.

Witness our hands this 18th day of October, 1991,  
L.T.R. ENTERPRISES

STATE OF NEVADA, *Lyon* { SS.  
COUNTY OF Lyon  
On October 18, 1991 personally  
appeared before me, a Notary Public.

Larry Masini, Ray Aiazzi and Tom Grady

who acknowledged that they executed the above instrument.

Donna M. MacGill  
(Notary Public)

→ If executed by a Corporation the Corporation Form of  
Acknowledgment must be used.

Escrow No. \_\_\_\_\_

DONNA M. MAC GILL

**LINSCOTT**

# United States District Court

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,  
Plaintiff  
WALKER RIVER PAIUTE TRIBE,  
Plaintiff-Intervenor,

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125-C-ECR

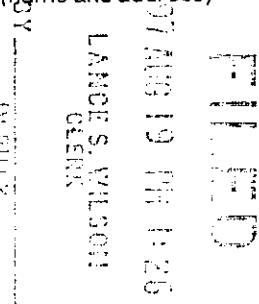
Defendants

TO: (Name and address of defendant) ALL WATER RIGHTS HOLDERS IN THE WALKER  
RIVER

*Jeanne Pace*  
Executor of Estate of George & Louise Linscott  
2595 Rio Alayne Court  
Sparks NV 89436

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

TREVA J. HEARNE, ESQ.  
ZEH, POLAHA, SPOO & HEARNE  
575 Forest Street  
Reno, Nevada 89509



Answer to the complaint which is herewith served upon you within TWENTY (20) days after receipt of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

This action is brought by Plaintiff-Intervenor against Defendants, as set forth in the Amended Complaint In Intervention on file herein.

LANCE S. WILSON, CLERK

APR 21 1997

DATE

(SEAL)

CLERK

DEPUTY CLERK

## RETURN OF SERVICE

Service of the Summons and Complaint was made by me <sup>1</sup> NAME OF SERVER (PRINT) <i>Kelvin Buchanan</i>	DATE <i>8/18/97</i>
Check one box below to indicate appropriate method of service	

Served personally upon the defendant. Place where served: *Served Jeannie Pace  
at 2595 Rio Alayne Court @ 8:45 PM, 8/18/97*

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_

Returned unexecuted: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other (specify): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## STATEMENT OF SERVICE FEES

## SERVICES

## TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 8/18/97 Date

*8/18/97, Tel. No. 8750*  
Address of Server

AFFIDAVIT - DEATH OF JOINT TENANT

1 STATE OF NEVADA )  
2 ) ss.  
3 COUNTY OF LYON )

4 LOUISE LINSCOTT, being first duly sworn, deposes and  
5 says:

6 That she is the surviving spouse of GEORGE LESTER  
7 LINSCOTT, the decedent mentioned in the attached certified copy  
8 of Certificate of Death, and the decedent is the same person as  
9 GEORGE L. LINSCOTT named as one of the parties in that certain  
10 Long Form Deed of Trust and Assignment of Rents dated September  
11 2, 1987, executed by Savino M. Palomarez and Teresa G. Palomar,  
12 husband and wife, as Trustees, and GEORGE L. LINSCOTT and LOU  
13 Nevada Corporation, as joint tenants, as Beneficiarie  
14 LINSCOTT, husband and wife, as joint tenants, as Beneficiarie  
15 recorded as Document No. 0110325 in the Official Records of I  
16 County, Nevada, on September 15, 1987, covering the following  
17 described property situate in the County of Lyon, State of  
18 Nevada, and more particularly described as follows, to-wit:

19 Beginning at a point on the West line of South  
20 Center Street, in said City of Yerington, at  
21 180 feet South and 354 feet West from the Section  
22 corner common to Sections 14, 15, 22, and 23,  
23 Township 13 North, Range 25 East, M.D.B.&M.;  
24 thence first course South along the West line  
25 of said South Center Street, a distance of 100  
feet; thence at right angles West 150 feet;  
thence at right angles North 100 feet; thence  
at right angles East 150 feet to the point of  
beginning.

EXCEPTING THEREFROM that certain parcel Deeded  
to M. R. and Inga Berg, recorded September 6, 19  
as Document No. 40261, Lyon County Official Reco

FURTHER EXCEPTING THEREFROM that certain parcel  
to Terry R. Colegrove, recorded May 1, 19  
Lyon County Official Reco

**WASHOE COUNTY DISTRICT HEALTH DEPARTMENT**  
**VITAL STATISTICS**  
Reno, Nevada

**STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH — SECTION OF VITAL STATISTICS  
CERTIFICATE OF DEATH**

ILL 65 IMAGE 136

175

LOCAL FILE NUMBER DECEASED: NAME First Middle		Middle	Last	DATE OF DEATH Month Day Year 2 February 1, 1988	STATE FILE NUMBER COUNTY OF DEATH 3 Washoe		
CITY, TOWN OR LOCATION OF DEATH 3b Reno		HOSPITAL OR OTHER INSTITUTION - Name if not above, give street and number 3c Washoe Medical Center		INSIDE CITY LIMITS 3d Yes	IF HOME OR HOSPITAL, DOB OR EMERGENCY 3e Inpatient		
RACE - (Ind. White, Black, American Indian, etc.) (Specify) 4a White		ETHNIC 4b American	AGE - Last Birthday (Years) 5a 79	UNDER 1 YEAR MOS : DAYS 5b : 50	MONTH : MIN 5c : 50	DATE OF BIRTH (Mo. Day Yr) 6 September 14, 1908	SEX 7 Male
STATE OF BIRTH (If not U.S.A., name country) 8 California		CITIZEN OF WHAT COUNTRY 9 U.S.A.		MARRIED NEVER MARRIED WIDOWED DIVORCED 10 Married		SURVIVING SPOUSE If wife gave mother name 11 Louise Pittwood	
SOCIAL SECURITY NUMBER 13 530-20-0439		USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even if Retired) 14a Executive Director		KIND OF BUSINESS OR INDUSTRY 15a Department of Agriculture 15b United States Government		INSIDE CITY LIMITS 16a Yes	
RESIDENCE-STATE 16a Nevada	COUNTY 15b Lyon	CITY, TOWN OR LOCATION 15c Yerington		STREET AND NUMBER 16a 315 S. Center			
FATHER-NAME 16b George	Middle	Last	MOTHER-MAIDEN NAME 17 Lucille	First	Middle	Last	Whines
INFORMANT-NAME (Type or Print) 18a Louise Linscott		MAILING ADDRESS 18b P.O. Box 59, Yerington, Nevada 89447		(Street or R.F.D. No., City or Town, State, Zip)			
BURIAL, CREMATION, REMOVAL, OTHER (Specify) 19a Cremation		CEMETERY OR CREMATORIUM-NAME 19b Mountain View Crematory		LOCATION 19c Reno		State Nevada	
FURNEREE-DIRECTOR-SIGNATURE (Or Person Acting as Such) 20a		NAME AND ADDRESS OF FACILITY 20b Ross, Burke & Knobal, 2155 Kietzke Lane, Reno, Nevada 895		22a On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated			
21a To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated (Signature and Title) <i>J. Malcolm Edmiston, M.D.</i> DATE SIGNED (Mo. Day, Yr) 21b 5-3-58		21c HOUR OF DEATH 21c 2035	To be completed by certifying physician 22a DATE SIGNED (Mo. Day, Yr) 22b PRONOUNCED DEAD (Mo. Day, Yr) 22c ON	22b HOUR OF DEATH 22c PRONOUNCED DEAD (Hour) 22d AT			
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print) 21d J. Malcolm Edmiston, M.D.		NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, MEDICAL EXAMINER OR CORONER) (Type or Print) 21e J. Malcolm Edmiston, M.D., 850 Mill Street, Reno, Nevada 89502		22d DEATH DUE TO COMMUNICABLE DISEASE 24a YES NO			
REGISTRAR 24b (Signature) <i>J. Malcolm Edmiston, M.D.</i> 24c Dep	DATE RECEIVED BY REGISTRAR (Mo. Day, Yr) 24d February 4, 1988		24d DEATH DUE TO COMMUNICABLE DISEASE 24e YES NO				
25 IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c)) PART I (a) DUE TO OR AS A CONSEQUENCE OF <i>R. S. Y. had a stroke &amp; became unconscious.</i>		PART II (b) DUE TO OR AS A CONSEQUENCE OF <i>R. S. Y. had a stroke &amp; became unconscious.</i>		INTERVAL BETWEEN ONSET AND DEATH 26a 5 days 26b 5 days 26c 5 days			
PART III (c) DUE TO OR AS A CONSEQUENCE OF <i>R. S. Y. had a stroke &amp; became unconscious.</i>				INTERVAL BETWEEN ONSET AND DEATH 26d 5 days 26e 5 days 26f 5 days			
OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not reflected in cause given in PART I (a)				AUTOPSY 26g No			
A. SUICIDE HIGHLY SUSPECTED OR PENDING INVEST 28a	DATE OF INJURY (Mo. Day, Yr) 28b	HOUR OF INJURY 28c	DESCRIBE HOW INJURY OCCURRED 28d		28e 28f 28g 28h		
INJURY AT WORK 28a 28b		PLACE OF INJURY - At home, farm, street, factory office 28i 28j 28k	LOCATION 28l	STREET OR R.F.D. NO. 28m		CITY/TOWN 28n	STATE 28o

SEAL AFFIXED

N° 75199

Case No. PE 5328

Dept. No. II

FILE

SEP 16 PM 1:10

MARY ANN MADDISON  
LYON COUNTY CLERK

KATHY THOMAS

DEPUTY

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF LYON

IN THE MATTER OF THE ESTATE

OF

LOUISE LINSCOTT,

Deceased.

ORDER SETTING ASIDE ESTATE  
WITHOUT ADMINISTRATION AND  
ORDERING IMMEDIATE DISTRIBUTION

JEAN PACE, having on the 26th day of August, 1996, filed her verified Petition to Set Aside Estate Without Administration, and the Court having considered said Petition and being fully advised, finds:

1. That LOUISE LINSCOTT, died on or about July 22, 1995, in Reno, Washoe County, Nevada, and was at the time of she death a resident of Yerington, Lyon County, Nevada.

2. That said decedent left a Last Will and Testament and First Codicil to Will bearing dates of June 22, 1989 and July 20, 1989, respectively, the originals of which have been filed with the Clerk of the above-entitled court, and which the Court finds to be the Last Will and Testament and First Codicil to Will of said decedent.

3. That said decedent left property in Lyon County, Nevada, the value of which does not exceed the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), and that said property consists of the following described real property, mining claims and savings bonds:

## STATE OF NEVADA

## DEPARTMENT OF HUMAN RESOURCES

DIVISION OF HEALTH  
VITAL STATISTICSSTATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH — SECTION OF VITAL STATISTICS

65 IMAGE 136

## CERTIFICATE OF DEATH

175

LOCAL FILE NUMBER

DATE OF DEATH (Month Day Year)

COUNTY OF DEATH

DECEASED—NAME ITY. TOWN, OR LOCATION OF DEATH b. Reno	First George	Middle Lester	Last LINSCOTT	DATE OF DEATH (Month Day Year) 2 February 1, 1988	STATE FILE NUMBER 3a. Washoe
HOSPITAL OR OTHER INSTITUTION—Name (If not either, give street and number) 3c. Washoe Medical Center			INSIDE CITY LIMITS (Specify Yes or No) 3d. Yes		
AGE—Last Birthday (Years) 4a. White 5a 79			UNDER 1 YEAR MOS : DAYS 5b : :	UNDER 1 DAY HOURS : MINS 5c : :	DATE OF BIRTH (Mo. Day, Yr.) 6 September 14, 1908
ETHNIC 4b. American			SEX 7 Male		
CITIZEN OF WHAT COUNTRY 9 U.S.A.			SURVIVING SPOUSE (If w/o, give maiden name) 11 Louise Pittwood		
TATE OF BIRTH (not U.S.A., name country) California			WAS DECEDENT EVER IN U.S. ARMED FORCES? (Specify Yes or No) 12. No		
OCIAL SECURITY NUMBER 3. 530-20-0439			USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even if Retired) 14a. Executive Director		
ESIDENCE—STATE 5a. Nevada			CITY, TOWN, OR LOCATION 15b. Lyon 15c. Yerington		
ATHER—NAME 8. George J. Linscott Sr.			MOTHER—MAIDEN NAME 17 Lucille Whines		
FORMANT—NAME (Type or Print) a. Louise Linscott			MAILING ADDRESS 18b. P.O. Box 59, Yerington, Nevada 89447		
JRIAL CREMATION, REMOVAL, OTHER (Specify) 19a. Cremation			CEMETERY OR CREMATORI—NAME 19b. Mountain View Crematory		
UNERAL DIRECTOR—SIGNATURE (Or Person Acting as Such) 20a. 			NAME AND ADDRESS OF FACILITY 20b. Ross, Burke & Knobel, 2155 Kietzke Lane, Reno, Nevada 89502		
21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated.  <i>(Signature and Title) J. Malcolm Edmiston, M.D.</i>			21b. DATE SIGNED (Mo. Day, Yr.) 21c. HOUR OF DEATH 21d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print) 21e. DATE RECEIVED BY REGISTRAR (Mo. Day, Yr.)		
21f. To be completed by Coroner's Office			21g. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated.  <i>(Signature and Title) J. Malcolm Edmiston, M.D.</i>		
22a. DATE SIGNED (Mo. Day, Yr.) 22b. HOUR OF DEATH 22c. PRONOUNCED DEAD (Mo. Day, Yr.) 22d. ON			22e. PRONOUNCED DEAD (Hour) 22f. AT		
23. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, MEDICAL EXAMINER OR CORONER) (Type or Print) 23. J. Malcolm Edmiston, M. D., 850 Mill Street, Reno, Nevada 89502			DATE RECEIVED BY REGISTRAR (Mo. Day, Yr.) 24b. February 4, 1988		
24a. DEATH DUE TO COMMUNICABLE DISEASE 24b. YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			24c. Interval between onset and death 24d. 5 days		
25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c)) 25a. Congestive heart failure 25b. A. S. F. D. auricular fibrillation 25c. Severe anoxia			25d. Interval between onset and death 25e. 2 years + 25f. Interval between onset and death 25g. 80 yrs +		
26. OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not related to cause given in PART I (a) 26. Chd. corona atherosclerosis, gastritis			26. AUTOPSY (Specify Yes or No) 26. No		
27. CC. SUICIDE, HOM. UNDET, 27. PENDIND INVEST 27. Yes or No			27. WAS CASE REFERRED TO CORONER (Specify Yes or No) 27. No		
28a. DATE OF INJURY (Mo. Day, Yr.) 28b. HOUR OF INJURY 28c.			28d. DESCRIBE HOW INJURY OCCURRED 28d. M		
28e. PLACE OF INJURY--At home, farm, street, factory, office building, etc. (Specify) 28f.			28g. LOCATION 28g. STREET OR R.F.D. NO. 28g. STATE 28g. SEAL APPROVED BY 28g. VITAL RECORDS 28g. NO. 75199 50 28g. AD 7		

THIS INDENTURE made this 12<sup>th</sup> day of January,  
1984, between GEORGE L. LINSCOTT, LOUISE LINSCOTT, and JEAN ELLEN  
PACE, Trustees under a revocable trust agreement executed by  
GEORGE L. LINSCOTT and LOUISE LINSCOTT, as Trustors on August 29,  
1979, of Lyon County, Nevada, First Parties, and GEORGE L. LINSCOTT  
and LOUISE LINSCOTT, husband and wife, of 316 S. Center Street,  
Yerington, Nevada, Second Parties,

W I T N E S S E T H:

That First Parties, for and in consideration of the sum  
of ONE DOLLAR (\$1.00), lawful money of the United States of  
America, to them in hand paid by the said Second Parties, the  
receipt whereof is hereby acknowledged, do by these presents  
revise, release and forever quitclaim unto the said Second Parties,  
with the right of survivorship and to the survivor of them, as  
joint tenants and not as tenants in common, their assigns, and  
to the heirs and assigns of the survivor thereof, all their right,  
title and interest in and to that certain lot, piece or parcel  
of land situate in the County of Lyon, State of Nevada, and more  
particularly described as follows, to-wit:

Commencing at a point 180 feet South and 190  
feet West from the Section corner common to  
Sections 14, 15, 22, and 23, in Township 13  
North, Range 25 East, M.D.B.&M., and running  
thence West to the East line of Center Street  
104 feet; thence South along the East line  
of Center Street a distance of 90 feet; thence  
at right angles East a distance of 104 feet;  
thence North a distance of 90 feet to the  
place of beginning.

TOGETHER WITH the tenements, hereditaments and appurte-  
nances thereunto belonging or appertaining, and the reversion

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto said Second Parties, with the right of survivorship and to the survivor of them, as joint tenants and not as tenants in common, their assigns, and to the heirs and assigns of the survivor thereof.

IN WITNESS WHEREOF, First Parties have hereunto set their hands the day and year first above written.

GEORGE L. LINSCOTT, Trustee

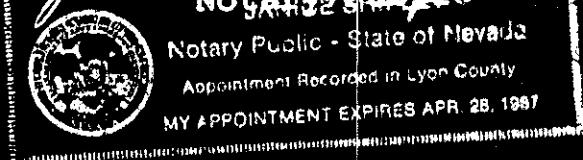
*Louise Linicott*  
LOUISE LINSCOTT, Trustee

*Jean Ellen Pace*  
JEAN ELLEN PACE, Trustee

STATE OF NEVADA ) ss.

COUNTY OF LYON )

On this 12<sup>th</sup> day of January, 1983, before me, a notary public, personally appeared GEORGE L. LINSCOTT, and LOUISE LINSCOTT, who acknowledged to me that they executed the foregoing Quitclaim Deed.



STATE OF Nevada ) ss.

COUNTY OF Washoe)

On this 21<sup>st</sup> day of December, 1983, before me, a notary public, personally appeared JEAN ELLEN PACE, who acknowledged to me that she executed the foregoing Quitclaim Deed.

QUITCLAIM DEED

THIS INDENTURE made this 12<sup>th</sup> day of January,  
1984, between GEORGE L. LINSCOTT, LOUISE LINSCOTT, and JEAN ELLEN  
PACE, Trustees under a revocable trust agreement executed by  
GEORGE L. LINSCOTT and LOUISE LINSCOTT, as Trustors on August 29,  
1979, of Lyon County, Nevada First Parties, and GEORGE L. LINSCOTT  
and LOUISE LINSCOTT, husband and wife, of 316 S. Center Street,  
Yerington, Nevada, Second Parties,

W I T N E S S E T H:

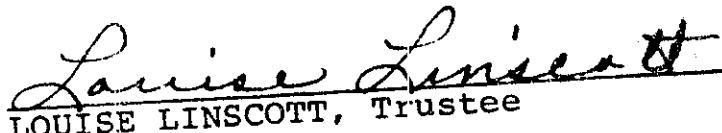
That First Parties, for and in consideration of the sum  
of ONE DOLLAR (\$1.00), lawful money of the United States of  
America, to them in hand paid by the said Second Parties, the  
receipt whereof is hereby acknowledged, do by these presents  
revise, release and forever quitclaim unto the said Second Parties,  
with the right of survivorship and to the survivor of them, as  
joint tenants and not as tenants in common, their assigns, and  
to the heirs and assigns of the survivor thereof, all their right,  
title and interest in and to that certain lot, piece or parcel  
of land situate in the County of Lyon, State of Nevada and more  
particularly described as follows, to-wit:

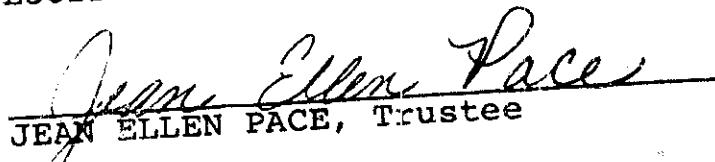
Beginning at a point on the West line of South  
Center Street, in said City of Yerington, at  
180 feet South and 354 feet West from the Section  
corner common to Sections 14, 15, 22, and 23,  
Township 13 North, Range 25 East, M.D.B.&M., said  
point being the northeast corner of Lot 4 in  
Block 4, Bovard Tract, according to the plat  
thereof; thence first course South along the  
west line of said South Center Street, a distance  
of 100 feet; thence at right angles West 150  
feet;

1 TOGETHER WITH the tenements, hereditaments and appurte-  
2 nances thereunto belonging or appertaining, and the reversion  
3 and reversions, remainder and remainders, rents, issues and  
4 profits thereof.

5 IN WITNESS WHEREOF, First Parties have hereunto set  
6 their hands the day and year first above written.

7   
GEORGE L. LINSOTT, Trustee

8   
LOUISE LINSOTT, Trustee

9   
JEAN ELLEN PACE, Trustee

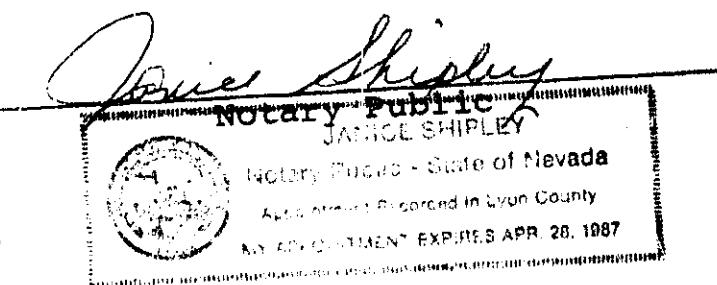
10 STATE OF NEVADA )  
11 ) ss.

12 COUNTY OF LYON )

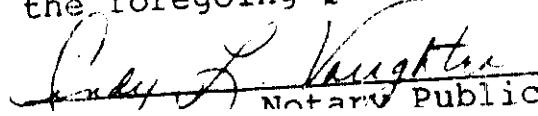
13 On this 12<sup>th</sup> day of January, 1984, before me,  
14 a notary public, personally appeared GEORGE L. LINSOTT and  
15 LOUISE LINSOTT, who acknowledged to me that they executed the  
16 foregoing Quitclaim Deed.

17 STATE OF Nevada )  
18 ) ss.  
19 COUNTY OF Washoe )

20 On this 21<sup>st</sup> day of December, 1983, before me,  
21 a notary public, personally appeared JEAN ELLEN PACE, who acknow-  
22 ledged to me that she executed the foregoing Quitclaim Deed.



00002

  
Linda L. Knight  
Notary Public

profits thereof.

IN WITNESS WHEREOF, First Parties have hereunto set  
their hands the day and year first above written.

*George L. Linscott*  
GEORGE L. LINSOTT, Trustee

*Louise Linscott*  
LOUISE LINSOTT, Trustee

*Jean Ellen Pace*  
JEAN ELLEN PACE, Trustee

STATE OF NEVADA )  
COUNTY OF LYON ) ss.

On this 12<sup>th</sup> day of January, 1984, before  
me, a notary public, personally appeared GEORGE L. LINSOTT and  
LOUISE LINSOTT, who acknowledged to me that they executed the  
foregoing Quitclaim Deed.

*Doris Shiley*  
Notary Public

STATE OF Nevada )  
COUNTY OF Placer ) ss.

On this 21<sup>st</sup> day of December, 1983, before  
me, a notary public, personally appeared JEAN ELLEN PACE, who  
acknowledged to me that she executed the foregoing Quitclaim Deed.

*Linda J. Knight*  
Notary Public

**MENESINI**

# STATE OF NEVADA

## DEPARTMENT OF HUMAN RESOURCES DIVISION OF HEALTH VITAL STATISTICS

### STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES DIVISION OF HEALTH — SECTION OF VITAL STATISTICS CERTIFICATE OF DEATH

LOCAL FILE NUMBER

STATE FILE NUMBER

DECEASED—NAME				First	Middle	Last	DATE OF DEATH (Month, Day, Year)	COUNTY OF DEATH		
CITY, TOWN, OR LOCATION OF DEATH				HOSPITAL OR OTHER INSTITUTION—Name (If not either, give street and number)			INSIDE CITY LIMITS (Specify Yes or No)	If Hosp. or Inst. indicate DOA, OP/Emer. Rm. Inpatient (Specify)		
3a. Yerington				3c. South Lyon Community Hospital			3d. Yes	3e. Inpatient		
RACE—(e.g., White, Black, American Indian, etc.) (Specify)		ETHNIC		AGE—Last Birthday (Years)	UNDER 1 YEAR MOS. DAYS	UNDER 1 DAY HOURS : MINS	DATE OF BIRTH (Mo., Day, Yr.)	SEX		
4a. White		4b.		5a. 40	5b. :	5c. :	6 January 22, 1948	7. Female		
STATE OF BIRTH (If not U.S.A., name country)		CITIZEN OF WHAT COUNTRY		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify)		SURVIVING SPOUSE (If wife, give maiden name)		WAS DECEASED EVER IN U.S. ARMED FORCES? (Specify Yes or No)		
9. Nevada		9. U.S.A.		10. Married		11. Don Menesini		12.		
SOCIAL SECURITY NUMBER		USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even If Retired)		KIND OF BUSINESS OR INDUSTRY						
13. 530-38-7889		14a. Utility Clerk		14b. First Interstate Bank						
RESIDENCE—STATE		COUNTY		CITY, TOWN, OR LOCATION		STREET AND NUMBER	INSIDE CITY LIMITS (Specify Yes or No)			
15a. Nevada		15b. Lyon		15c. Yerington		15d. 111 Hwy 95A North	15e. No			
FATHER—NAME		First	Middle	Last	MOTHER—MAIDEN NAME	First	Middle	Last		
16. Arthur				Kranjack	17. Elaine			Sheehan		
INFORMANT—NAME (Type or Print)				MAILING ADDRESS		(Street or R.F.D. No., City or Town, State, Zip)				
18a. Mr. Don Menesini				18b. 111 Hwy 95A North, Yerington, Nevada 89447						
BURIAL, CREMATION, REMOVAL, OTHER (Specify)		CEMETERY OR CREMATORIUM—NAME		LOCATION		City or Town State				
19a. Burial		19b. Valley View Cemetery		19c. Yerington, Nevada						
FUNERAL DIRECTOR—SIGNATURE (Or Person Acting as Such)		NAME AND ADDRESS OF FACILITY								
20a. <i>Robert Titus</i>		20b. Freitas Funeral Home, Box 507, Yerington, Nevada 89447								
21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. <i>(Signature and Title)</i> <i>Robert Titus MD</i>		21b. <i>12/2/88</i> 21c. <i>0945</i>		22a. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated. <i>(Signature and Title)</i> <i>Robert Titus MD</i>		22b. DATE SIGNED (Mo., Day, Yr.) 22c. HOUR OF DEATH				
DATE SIGNED (Mo., Day, Yr.)		HOUR OF DEATH		DATE SIGNED (Mo., Day, Yr.)		HOUR OF DEATH				
21d.		NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)		22b. PRONOUNCED DEAD (Mo., Day, Yr.)		22c. PRONOUNCED DEAD (Hour)				
21e.				22d. ON		22e. AT				
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, MEDICAL EXAMINER OR CORONER) (Type or Print)										
23. Dr. Robin Titus, 405 South Main Street, Yerington, Nevada 89447		REGISTRAR		DATE RECEIVED BY REGISTRAR (Mo., Day, Yr.)		DEATH DUE TO COMMUNICABLE DISEASE				
24a. (Signature) <i>Robert Titus</i>				24b. 12-2-88		24c. YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>				
25. IMMEDIATE CAUSE		ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c)				Interval between onset and death				
PART I (a) DUE TO, OR AS A CONSEQUENCE OF		<i>Respiratory arrest</i>				<i>min</i>				
{ (b) DUE TO, OR AS A CONSEQUENCE OF		<i>metabolics came to action</i>				<i>death</i>				
(c) OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not related to cause given in PART I (a)				AUTOPSY		WAS CASE REFERRED TO CORONER (Specify Yes or No)				
PART II				26. No		27. No				
28a. DATE OF INJURY (Mo., Day, Yr.)		28b. PLACE OF INJURY—At home, farm, street, factory, office building, etc. (Specify)		28c. DATE OF INJURY		28d. LOCATION		28e. STREET OR ROAD NO.	28f. CITY OR TOWN	28g. STATE

Menesini, Donald - Hearne  
Linda Menesini

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 145 of 233

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SPOO & HEARNE  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
6 Telephone: (702) 323-5700

7  
8  
9 Attorneys for Intervenor,  
10 MINERAL COUNTY NEVADA

11  
12  
13 UNITED STATES DISTRICT COURT  
14  
15 DISTRICT OF NEVADA

16 \* \* \*

17 UNITED STATES OF AMERICA, )

18 Plaintiff, ) In Equity No. C-125-ECR  
19 ) Subfile No. C-125-C

20 WALKER RIVER PAIUTE TRIBE, )

21 Plaintiff-Intervenor, ) RETURN OF SERVICE

22 vs. )

23 WALKER RIVER IRRIGATION DISTRICT, )  
24 a corporation, et al.; )

25 Defendants. )

26 ----- )  
27 MINERAL COUNTY, )

28 Proposed-Plaintiff-Intervenor, )

vs. )

WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al. )

I Kenneth Peck, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, SPOO & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (702) 323-5700 FAX: (702) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

2 Lieu of Summons

3 upon: Donald Menesini, heir to (Print name of person served)

4 of: Lucinda Menesini (Title and company where applicable)

5 on: 6-12-99 (Date of service)

6 at: 11 Hwy 11 North, Princeton (Time of service)

7 at the following place:

8 95 Hwy 11 North, (Princeton) (Address or location)

9 in the following manner:

10  served personally

11  left copies

12  unable to execute service (why) \_\_\_\_\_

13  other (specify) \_\_\_\_\_

14 Remarks: \_\_\_\_\_

15 I declare under penalty of perjury under the laws of the United States of America that the  
16 foregoing information in this Return of Service is true and correct.

17 Date 6-12-99

18 Signature of Server John M. Mene

19

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21

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27

28

(Address of Server) \_\_\_\_\_

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**MINISTER**

1 shall nevertheless be deemed to have notice of those subsequent  
2 orders of the Court.

3 DATED this 7<sup>th</sup> day of May, 1995.

4 Rose Alice Minister  
5 (Signature)

6 Rose Alice Minister  
7 (Printed name and title, if any)

8 Bolton-Rose TRUST  
9 (Company or entity, if any)

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Clark J. Guild, Jr.  
Guild & Hagen, Ltd.  
P.O. Box 2838  
Reno, NV 89505

MEMORANDUM OF TRUST EXISTENCE AND AUTHORITY

THIS MEMORANDUM OF TRUST is made and entered into by BOLTON FRANCIS MINISTER and ROSE ALICE MINISTER, collectively Trustor, who on the 1<sup>st</sup> day of June, 1993, restated THE BOLTON-ROSE TRUST, a revocable inter vivos trust, with ROSE ALICE MINISTER as Trustee.

The following provisions are found in said Trust Agreement and may be relied upon as a full statement of the matters covered by such provisions, except as noted herein, by anyone dealing with the Trustees or their successors:

Trustor's Power Over the Trust. The Trustor reserves the power to revoke, amend, or terminate the Trust, in whole or in part, without the consent of any person. Revocation and amendment of the Trust shall be made by the delivery to the Trustee of an instrument in writing signed by the Trustor. On revocation or termination of the Trust, all of its assets shall be promptly delivered to the Trustor.

Trustee. ROSE ALICE MINISTER is appointed Trustee of all trusts created hereunder. In the event of the death, disability or resignation of ROSE ALICE MINISTER, BOLTON FRANCIS MINISTER is appointed successor Trustee, followed by BOLTON CHARLES MINISTER and then, FRANCES ALICE PEKAR. As used in this instrument, the term "Trustee" shall include any successor Trustee.

Trustee Administrative Powers. Except as otherwise provided in this instrument and limited by the purposes of this instrument,

P. O. Box 1791  
Minden, Nev. 89423

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 150 of 233

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## SUBSTITUTION OF TRUSTEE AND DEED OF FULL RECONVEYANCE

WHEREAS, TIMOTHY MINISTER and JOSEPHINE MINISTER, husband and wife was the original Trustor,  
INTER-COUNTY TITLE OF NEVADA, a Nevada Corporation was the original Trustee, and

### BOLTON ROSE TRUST

was the original Beneficiary under that certain deed of Trust dated July 8, 1983 and recorded on July 22, 1983, in book ---, page --- of Official Record of Lyon County, under Document No. 78923, and

WHEREAS, the undersigned is the present Beneficiary under said Deed of Trust, and

WHEREAS, the undersigned desires to substitute a new Trustee under said Deed of Trust in the place and stead of said original Trustee thereunder, in the manner in said Deed of Trust provided,

THEREFORE, the undersigned hereby substitutes themselves, BOLTON ROSE TRUST

as trustee under said deed of trust

### NOW, THEREFORE, BOLTON ROSE TRUST

as substituted Trustee, do es hereby reconvey without warranty, to the person or persons legally entitled thereto, the estate held by the trustee, declaring that the indebtedness secured by said deed of trust HAS BEEN FULLY PAID.

Whenever the context hereof so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

Dated January 16, 1987.

### BOLTON ROSE TRUST

Beneficiary

*Rose Alice Minister*

By: Rose Alice Minister, Trustee  
FOR INDIVIDUAL ACKNOWLEDGMENT

STATE OF Nevada

COUNTY OF Lyon

On January 16, 1987 before me, the undersigned, a Notary Public in and for said State, personally appeared

Rose Alice Minister

known to me to be the person whose name she subscribed to the within instrument and acknowledged that she executed the same

WITNESS my hand and official seal

*D. A. D'Angelo*

### BOLTON ROSE TRUST

Trustee

*Rose Alice Minister*

By: Rose Alice Minister, Trustee  
FOR INDIVIDUAL ACKNOWLEDGMENT

Trustee

STATE OF Nevada

COUNTY OF Lyon

On January 16, 1987 before me, the undersigned, a Notary Public in and for said State, personally appeared

Rose Alice Minister

SS.

known to me to be the person whose name she subscribed to the within instrument and acknowledged that she executed the same

WITNESS my hand and official seal

Signature

*D. A. D'Angelo*

**MOORE**

GRANT DEED

A.P.N.

4-221-07

PROPERTY TRANSFER TAX: 34.45

- computed on full value of property conveyed, or  
 computed on full value less value of liens and encumbrances ASSUMED

R A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Anthony P. Moore and Monica R. Moore, husband & wife  
who acquired title as Anthony P. Moore, a single man.

(es) hereby GRANT TO

Alfred W. Palmer and Joy Lee Palmer, husband & wife as  
joint tenants

the real property situate in the County of Lyon, State of Nevada,  
described as follows: For legal description of property.

See exhibit A

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in  
anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

STATE OF NEVADA

COUNTY OF Carson City

On September 11, 1996 before me }  
the undersigned, a Notary Public in and for said County and State, } ss  
personally appeared

Anthony P. Moore and  
Monica R. Moore

known to me to be the person(s) whose name(s) is/are subscribed  
to the within instrument, and acknowledged to me that he/she they  
executed the same.

WITNESS my hand and official seal

SARAH BOESEN

Anthony P. Moore

Monica R. Moore

ANTHONY P. MOORE

MONICA R. MOORE

SPACE BELOW FOR RECORDER'S USE

# Exhibit A

the real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land located in the NW 1/4 of the NE 1/4 of Section 10, T 14 N, R 25 E, M.D.B. & M., in Lyon County, Nevada, described as follows: Beginning at the Northwest corner of the parcel which is located on the South side of Penrose Lane; said point being S. 89 degrees 28'30" E. 2855.16 feet and S 0 degrees 20' E, 30.00 feet from the northwest corner of said Section 10; thence S 0 degrees 20'00" E 66.00 feet; thence S 89 degrees 28'30" E 219.63 feet; thence N 0 degrees 20'00" W 660.00 feet; thence N 89 degrees 28'30" W, 219.63 feet along the South side of Penrose Lane to the point of beginning.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

197220

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
2 ZEH, POLAHA, SPOO, HEARNE & PICKER  
3 575 Forest Street, Suite 200  
Reno, Nevada 89509  
4 Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7

8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )

13 Plaintiff, )

In Equity No. C-125-ECR  
Subfile No. C-125-C

14 WALKER RIVER PAIUTE TRIBE, )

15 RETURN OF SERVICE

16 Plaintiff-Intervenor, )

17 vs. )

18 WALKER RIVER IRRIGATION DISTRICT, )

19 a corporation, et al.; )

20 Defendants. )

21 ----- )  
22 MINERAL COUNTY, )

23 Proposed-Plaintiff-Intervenor, )

24 vs. )

25 WALKER RIVER IRRIGATION DISTRICT, )

26 a corporation, et al. )

27 ----- )

28 I Ashley Waltrip-Buckanan, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Polaha, Spoo, Hearne & Picker  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (702) 323-5700 FAX: (702) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: Joy L. Palmer (Print name of person served)

4 of: \_\_\_\_\_ (Title and company where applicable)

5 on: 2/28/98 (Date of service)

6 at: 9:10 a.m. (Time of service)

7 at the following place:

8 55 Butte Ln., Yerington, NV (Address or location)

9 in the following manner:

10  served personally

11  left copies

12  unable to execute service (why) \_\_\_\_\_

13  other (specify) \_\_\_\_\_

14 Remarks: \_\_\_\_\_

15 I declare under penalty of perjury under the laws of the United States of America that the  
16 foregoing information in this Return of Service is true and correct.

17 Date 3/1/98

18 Signature of Server Kelly White-Brockman

19

20 P.O. Box 660

21 Carson City, NV 89702

22 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
2 ZEH, POLAHA, SPOO, HEARNE & PICKER  
3 575 Forest Street, Suite 200  
Reno, Nevada 89509  
4 Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7

8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )

13 Plaintiff, )

In Equity No. C-125-ECR  
Subfile No. C-125-C

15 WALKER RIVER PAIUTE TRIBE, )

16 Plaintiff-Intervenor, ) RETURN OF SERVICE

17 vs. )

18 WALKER RIVER IRRIGATION DISTRICT, )  
19 a corporation, et al.; )

20 Defendants. )

22 MINERAL COUNTY, )

23 Proposed-Plaintiff-Intervenor, )

25 vs. )

26 WALKER RIVER IRRIGATION DISTRICT, )  
27 a corporation, et al. )

28 I Eiley Whiston-Buchanan, hereby certify that service of process of Mineral  
(Print name of server)

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: Alfred W. Palmer (Print name of person served)

4 of: \_\_\_\_\_ (Title and company where applicable)

5 on: 2/28/78 (Date of service)

6 at: 9:10 A.M. (Time of service)

7 at the following place:

8 55 Butte Ln., Yerington, NV (Address or location)

9 in the following manner:

10 [ ] served personally

11 [ ] left copies

12 [ ] unable to execute service (why) \_\_\_\_\_

13 [✓] other (specify) Joy L. Palmer, wife, accepted

14 service.

15 Remarks: \_\_\_\_\_

16 I declare under penalty of perjury under the laws of the United States of America that the  
17 foregoing information in this Return of Service is true and correct.

18 3/1/78  
19 Date

20 Joyce L. Palmer  
21 Signature of Server

22 P.O. Box 660

23 Carson City, NV 89702  
24 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

**NAGEL**

1 Case No. PE 5510

2 Dept. No. II

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APR 14 1998 9:18

RECEIVED  
CLERK'S OFFICE  
3RD JUDICIAL DISTRICT COURT  
LYON COUNTY, NEVADA

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF LYON

IN THE MATTER OF THE ESTATE  
OF  
HELEN JOSEPHINE NAGEL, also  
known as HELEN J. NAGEL,  
Deceased.

ORDER AND DECREE APPROVING  
PETITION FOR LETTERS  
TESTAMENTARY AND FOR  
SUMMARY ADMINISTRATION

DIANE NAGEL, Executrix of the Estate of HELEN JOSEPHINE NAGEL, also known as HELEN J. NAGEL, Deceased, having heretofore filed her First and Final Account, of her administration of said estate, and having with said account filed a Petition for Distribution of said estate, and said account and petition this day coming on regularly to be heard, and proof having been made to the satisfaction of the Court that notice of said hearing has been given in the manner and for the time required by law, and no person appearing to contest the same, this Court, after hearing and considering the evidence and being fully advised, finds:

1. That on January 30, 1998, this Court made and entered its Order establishing that the decedent died testate, on or about the 31st day of October, 1997 in Yerington, Lyon County, Nevada, and was at her death a resident of Yerington, Nevada; that decedent left real property subject to the jurisdiction of this Court, in the State of Nevada, and ordering that Letters of the decedent be issued to Diane

1 Nagel upon her taking of the oath.

2       2. That Diane Nagel qualified as Executrix on February  
3       4, 1998, and entered upon the administration of said estate and  
4       has ever since continued to administer it.

5       3. That Notice to Creditors has been given as required  
6       by law, and the time for presentation of claims against the estate  
7       expired on April 7, 1998; that there were no claims filed against  
8       the estate.

9       4. That the Executrix duly filed with this Court a  
10      verified Record of Value on March 9, 1998, showing the assets of  
11      SEVENTH SIX THOUSAND FIVE HUNDRED FIFTY FIVE AND 99/100 DOLLARS  
12      (\$76,555.99).

13      5. That the only assets contained in the estate are the  
14      following described real property:

15                  REAL PROPERTY

16      All that certain land situated in a portion  
17      of the Northwest 1/4 of Section 5, Township  
18      13 North, Range 26 East, Mount Diablo  
19      Meridian and identified as Parcel B as shown  
on that certain Record of Survey for Robert &  
Shirley Nagel, File No. 126748, Lyon County  
Records, being described as follows:

20      Beginning at the Northwest corner of said  
21      Parcel B as shown on said Record of Survey,  
22      thence along the Southerly right of way of  
23      Pete Hendricks Road as shown on said Record  
24      of Survey, South 89°57'00" East a distance of  
25      430.08 feet to the Northeast corner of said  
26      Parcel B; thence leaving said right of way  
27      and along the easterly line of said Parcel B,  
South 0°03'00" West a distance of 300.30 feet  
to the Southeast corner of said Parcel B;  
thence along the southerly line of said  
Parcel B, North 89°57'00" West a distance of  
430.08 feet to the Southwest corner of said  
Parcel B; thence along the Westerly line of  
said Parcel B, North 0°03'00" East a distance

RPTT #3

EXECUTRIX' DEED

THIS DEED made this 11th day of May, 1998, between  
DIANE NAGEL, Executrix of the Estate of HELEN JOSEPHINE NAGEL,  
also known as HELEN J. NAGEL, Deceased and herein referred to as  
Grantor, and DIANE NAGEL, an unmarried woman, of 6 Jackson Lane,  
Yerington, Nevada 89447, herein referred to as Grantee,

W I T N E S S E T H:

W I T N E S S :

That on the 11th day of May, 1998, the Third Judicial District Court of the State of Nevada, in and for the County of Lyon, in Action No. PE5510, made an order directing the Executrix to convey to the Grantee, that certain real property belonging to the Estate of HELEN JOSEPHINE NAGEL, also known as HELEN J. NAGEL, Deceased, situate in the County of Lyon, State of Nevada, and specified and particularly described in said Order which is on file and of record in the Court and is hereby referred to and made a part of this deed.

a part of this deed.

The Executrix, pursuant to the Order above-mentioned of the Third Judicial District Court of the State of Nevada, in and for the County of Lyon, in consideration of the sum of ONE DOLLAR (\$1.00), paid to Executrix by Grantee, the receipt of which is hereby acknowledged, does by these presents revise, release and forever quitclaim unto the said Grantee, her heirs and assigns forever, all the right, title, and interest that the Estate, by operation of law or otherwise, may have acquired, other than or in respect of the deceased at the time of her death, in an

to--wit:

REAL PROPERTY

All that certain land situated in a portion  
of the Northwest 1/4 of Section 5, Township  
13 North, Range 26 East, Mount Diablo  
Meridian and identified as Parcel B as shown  
on that certain Record of Survey for Robert &  
Shirley Nagel, File No. 126748, Lyon County  
Records, being described as follows:

Beginning at the Northwest corner of said  
Parcel B as shown on said Record of Survey,  
thence along the Southerly right of way of  
Pete Hendricks Road as shown on said Record  
of Survey, South 89°57'00" East a distance of  
430.08 feet to the Northeast corner of said  
Parcel B; thence leaving said right of way  
and along the easterly line of said Parcel B,  
South 0°03'00" West a distance of 300.30 feet  
to the Southeast corner of said Parcel B;  
thence along the southerly line of said  
Parcel B, North 89°57'00" West a distance of  
430.08 feet to the Southwest corner of said  
Parcel B; thence along the Westerly line of  
said Parcel B, North 0°03'00" East a distance  
of 300.30 feet to the point of beginning of  
this description.

Containing 2.96 acres, more or less.

A.P.N. 14-551-06

TOGETHER WITH the tenements, hereditaments and appur-  
tenances belonging to the premises.

TO HAVE AND TO HOLD the above-described premises,  
together with the appurtenances, to Grantee, her heirs and assigns  
forever.

IN WITNESS WHEREOF, the Executrix of the Estate of HELEN  
JOSEPHINE NAGEL, also known as HELEN J. NAGEL, Deceased, has  
executed this Deed at Yerington, Nevada, the day and year first

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SPOO & HEARNE  
4 575 Forest Street, Suite 200  
Reno, Nevada 89509  
Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7  
8  
9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )  
13 Plaintiff, ) In Equity No. C-125-ECR  
14 ) Subfile No. C-125-C  
15 WALKER RIVER PAIUTE TRIBE, )  
16 Plaintiff-Intervenor, )  
17 vs. )  
18 )  
19 WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al.; )  
20 )  
21 Defendants. )  
----- )  
22 MINERAL COUNTY, )  
23 Proposed-Plaintiff-Intervenor, )  
24 )  
25 vs. )  
26 WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al. )  
----- )

RETURN OF SERVICE

27  
28 I Chey Gossar, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

2 Lieu of Summons

3 upon: Dave Dugel, heir to: (Print name of person served)

4 of: Robert & Helen Dugel (Title and company where applicable)

5 on: 7/3/99 (Date of service)

6 at: 2:30 (Time of service)

7 at the following place:

8 1. Jackson Ln., (Kinston, NC) (Address or location)

9 in the following manner:

10  served personally

11  left copies

12  unable to execute service (why) \_\_\_\_\_

13  other (specify) \_\_\_\_\_

14 Remarks: \_\_\_\_\_

15 I declare under penalty of perjury under the laws of the United States of America that the  
16 foregoing information in this Return of Service is true and correct.

17 7/3/99

18 Date

19 Candy M

20 Signature of Server

21 4971 Catalina Dr. #2

22 Reno, NV 89502

23 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

**NANNINI**

Ms. Anna Nannini  
Heir to Guido Nannini, Joseph Giodo and  
Virginia Giodo  
August 1, 2000  
Page 2

Thank you in advance for your anticipated cooperation with this matter. If you should have any questions or comments, please do not hesitate to contact either myself or my secretary, Carol, at (775) 323-5700.

Sincerely yours,

ZEH, SPOO & HEARNE

*Trevia J. Hearne*  
TREVA J. HEARNE

TJH/ce

I, Anna Nannini, am the sole heir to Guido Nannini and Joseph and Virginia Giodo, and their water rights did revert to me, as their sole heir. *See Note below*

Dated: August \_\_\_, 2000

*Anna Nannini*  
ANNA NANNINI

*Per our conversation, Joseph Giodo and myself (Anna Nannini) currently own the property in question in Yerington, my husband Guido Nannini passed away 12/23/87 and my sister Virginia Giodo passed away 3/29/88. Therefore Joseph Giodo (my brother) and myself are the sole heirs.*

*Anna Nannini*  
3/4/2000

*Also admitted in California, Minnesota,  
Washington, D.C., and Missouri*

## WASHOE COUNTY DISTRICT HEALTH DEPARTMENT

## VITAL STATISTICS

Reno, Nevada

STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH — SECTION OF VITAL STATISTICS  
CERTIFICATE OF DEATH

ROLL 64 IMAGE 884

2223

LOCAL FILE NUMBER

DECEASED — NAME First Middle Last

DATE OF DEATH (Month, Day, Year)

STATE FILE NUMBER

COUNTY OF DEATH

TYPE OR PRINT  
IN  
PERMANENT  
BLACK INK

1. Guido M. NANNINI

December 23, 1987

3a Washoe

CITY, TOWN, OR LOCATION OF DEATH

HOSPITAL OR OTHER INSTITUTION Name if not above, give street and number

INSIDE CITY LIMITS

(Specify Yes or No)

If Hospital or Institution, indicate CIOA, CIP, Emergency Room Department (Specify)

2b Sparks

2c 518 Pyramid Way

3d Yes

3e

RACE (e.g. White Black American Indian, etc.) (Specify)

4a White

ETHNIC

4b Italian

AGE Last Birthday (Year)

5a 73

UNDER 1 YEAR

5b

OVER 1 DAY

5c

5d

5e

5f

5g

5h

5i

5j

5k

5l

5m

5n

5o

5p

5q

5r

5s

5t

5u

5v

5w

5x

5y

5z

STATE OF BIRTH (If not U.S.A. name country)

6a Nevada

CITIZEN OF WHAT COUNTRY

6b USA

MARRIED NEVER MARRIED

6c Widowed Divorced Separated

6d Married

6e SURVIVING SPOUSE (If wife/girlfriend name)

6f WAS DIVORCED EVER IN U.S. ARMED FORCES?

6g Separated Yes or No

6h

6i

6j

6k

6l

6m

6n

6o

6p

6q

6r

6s

6t

6u

6v

6w

6x

6y

6z

SOCIAL SECURITY NUMBER

13 700 10 5713

14a USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life Even if Retired)

14b Iron Worker

14c KIND OF BUSINESS OR INDUSTRY

14d Construction

RESIDENCE STATE

15a Nevada

15b COUNTY

15c

15d STREET AND NUMBER

15e

15f INSIDE CITY LIMITS

(Specify Yes or No)

15g Yes

15h

15i

15j

15k

15l

15m

15n

15o

15p

15q

15r

15s

15t

15u

15v

15w

15x

15y

15z

DECEASED

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
2 ZEH, SPOO & HEARNE  
3 575 Forest Street, Suite 200  
4 Reno, Nevada 89509  
4 Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7  
8

9 UNITED STATES DISTRICT COURT

10

DISTRICT OF NEVADA

11

\* \* \*

12

UNITED STATES OF AMERICA,

)

13

Plaintiff,

)

In Equity No. C-125-ECR  
Subfile No. C-125-C

14

WALKER RIVER PAIUTE TRIBE,

)

RETURN OF SERVICE

15

Plaintiff-Intervenor,

)

16

vs.

)

17

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.;

)

18

Defendants.

)

19

-----  
MINERAL COUNTY,

)

20

Proposed-Plaintiff-Intervenor,

)

21

vs.

)

22

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.

)

23

I LINDY DURAN, hereby certify that service of process of Mineral  
(Print name of server)

County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

H-18

1 Lieu of Summons

2 upon: ANNA NANNINI, heir to: (Print name of person served)

3 of: Guido Nannini, Joseph & Virginia Gaddo (Title and company where applicable)

4 on: July 21, 1999 (Date of service)

5 at: 2:00 pm. (Time of service)

6 at the following place:

7 1009 F ST. SPARKS, NV (Address or location)

8 in the following manner:

9  served personally

10  left copies

11  unable to execute service (why) \_\_\_\_\_

12 \_\_\_\_\_

13  other (specify) \_\_\_\_\_

14 \_\_\_\_\_

15 Remarks: \_\_\_\_\_

16 \_\_\_\_\_

17 I declare under penalty of perjury under the laws of the United States of America that the  
18 foregoing information in this Return of Service is true and correct.

19 July 21, 1999  
20 Date



21 Signature of Server

22 575 FOREST St.

23 Reno, NV 89509

24 (Address of Server) C:\MyFiles\CLIENTS\MineraNP-Return.J14

25

26

27

28

**OLSON**

WHEN RECORDED MAIL TO:  
CURTIS & SONS CONSTRUCTION, INC.  
P.O. BOX 2911  
MINDEN, NV 89423

8/16/00 PG. M77583DC  
R.P.T.T. 221.00  
X Based on full  
Based on full  
less liens

INDIVIDUAL GRANT DEED

THIS INDENTURE WITNESSETH:

That for a valuable consideration, receipt of which is hereby acknowledged,  
ROBERT D. OLSON, an unmarried man

(GRANTOR),  
does hereby grant, bargain, sell, and convey to CURTIS AND SONS  
CONSTRUCTION, INC., a Nevada corporation

(GRANTEE),  
all that real property in the County of LYON , State of  
being Assessor's Parcel Number 10-441-19 , specifically described  
(Continued)

SEE EXHIBIT "A" ATTACHED

Together with all and singular the tenements, hereditaments,  
appurtenances thereunto belonging or in anywise appertaining,  
reversions, remainders, rents, issues or profits thereof,

Dated October 26, 1998

*Robert D. Olson*  
ROBERT D. OLSON

STATE OF NEVADA )  
)  
COUNTY OF DOUGLAS )  
)

This instrument was acknowledged  
before me on October 26, 1998  
by ROBERT D. OLSON



DANIELLE E. CURTIS

NOTARY PUBLIC STATE OF NEVADA

MAIL TAX STATEMENT TO:  
SAME AS ABOVE

EXHIBIT C

Parcel A:

All that certain real property being a portion of the N 1/2 of N  
1/2 of Section 9, T 11 N, R 24 E, M.D.B. & M., Lyon County,  
Nevada, described as follows:

Parcel 3, as shown on the Map of Division of Large Parcels for  
N.D. Brown, Inc., recorded in Official Records of Lyon County,  
Nevada, on November 16, 1989, as No. 129037.

Parcel B:

Together with a 60 foot right of way for road, ditch and public  
utility purposes, described as follows:

Beginning at a point on Day Lane, thence in a Northeasterly  
direction along the South boundary of Parcel No. 2, as shown on  
Lyon County Map of Division of Large Parcels No. 127265 to the  
East end of said Parcel. Thence in a Northerly and Easterly  
direction along the 60 foot right of way as shown on Lyon County  
Map of Large Parcels No. 129037 to the point of ending which is  
the Southwest corner of Parcel No. 1 of said Map No. 129037.

A.P.N. 10-441-19

TOGETHER WITH THOSE CERTAIN WATER RIGHTS DESCRIBED AS CLAIM NO. 123.

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
2 ZEH, SPOO & HEARNE  
3 575 Forest Street, Suite 200  
Reno, Nevada 89509  
4 Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7

8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )

13 Plaintiff, )

In Equity No. C-125-ECR  
Subfile No. C-125-C

15 WALKER RIVER PAIUTE TRIBE, )

16 Plaintiff-Intervenor, )

RETURN OF SERVICE

17 vs. )

18 WALKER RIVER IRRIGATION DISTRICT, )

19 a corporation, et al.; )

20 Defendants. )

22 MINERAL COUNTY, )

23 Proposed-Plaintiff-Intervenor, )

25 vs. )

26 WALKER RIVER IRRIGATION DISTRICT, )

27 a corporation, et al. )

28 I Jiana J. Marquis, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

2 Lieu of Summons

3 upon: Brent Curtis (Print name of person served)

4 of: Owner of Curtis & Sons (Title and company where applicable)

5 on: August 4, 1999 (Date of service)

6 at: 10:45 a.m. (Time of service)

7 at the following place:

8 1201 S. Orchard, Gardnerville, NV 89410  
9 (Address or location)

10 in the following manner:

11  served personally

12  left copies

13  unable to execute service (why) \_\_\_\_\_

14  other (specify) \_\_\_\_\_

15 Remarks: \_\_\_\_\_

16  
17 I declare under penalty of perjury under the laws of the United States of America that the  
18 foregoing information in this Return of Service is true and correct.

19 Date

20 8/9/99

21 Signature of Server

22 Jane A. Merguis

23 Address of Server

24 575 Forest St., Suite 200

25 Reno, NV 89509

26 C:\MyFiles\CLIENTS\Mineral\P-Return.J14

27

28

**PEEPLES**

Mrs. Norma Peeples  
141 North Highway 95A  
Yerington, Nevada 89447

August 4, 2000

**Reference:** August 2, 2000  
Correspondence  
Mineral County/  
Walker River

ATTN: Treva J. Hearne

Zeh, Spoo, and Hearne  
Attorneys and Counselors at Law  
575 Forest Street  
Reno, Nevada 89509

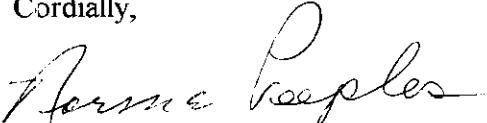
Gentlemen:

**I, Norma Peeples, am the sole heir to Josiah Peeples and his water rights did revert to me, as the sole heir to Mr. Josiah Peeples.**

I am elderly and reside several miles from the Lyon County Court House where both the probated will and death certificate are filed as public records. It is not possible for me to acquire copies of these documents at this time.

Since they are public documents, you may request copies from the Lyon County Clerk at your convenience.

Cordially,

  
Norma Peeples

NP/mm

3 STATE OF NEVADA ) ss.

4 COUNTY OF LYON )  
5  
6 NORMA M. PEEPLES, being first duly sworn, deposes and  
7 says:  
8 That she is the surviving spouse of JOSIAH PEEPLES, the  
9 decedent mentioned in the attached certified copy of Certificate  
10 of Death, and the decedent is the same person as JOSIAH P.  
11 PEEPLES, JR. named as one of the parties in that certain Second  
12 Deed of Trust dated January 29, 1982, executed by Robert H. Day,  
13 and Caroline S. Day, husband and wife, and Robert H. Day, Jr.  
14 Julie A. Day, husband and wife, as Trustees, Charter Title, Inc.  
15 a Nevada Corporation, as Trustee and JOSIAH P. PEEPLES, JR. as  
16 NORMA M. PEEPLES, husband and wife, as joint tenants with the  
17 right of survivorship, as Beneficiaries, recorded as Document  
18 65887 in the Official Records of Lyon County, Nevada, on February  
19 1, 1982, and re-recorded as Document No. 122713R, in the Official  
20 Records of Lyon County, Nevada, on March 6, 1989, covering the  
21 following described property situate in the County of Lyon, State  
22 of Nevada, and more particularly described as follows, to-wit:  
23 Beginning at a point on the West line of U.S.  
24 Highway 95 Alternate which bears North 01°04'23"  
25 West a distance of 1,273.49 feet from the South-  
26 east corner of Section 16, Township 14 North,  
27 Range 25 East, M.D.B.&M.; thence North 89°19'00"  
28 West, a distance of 662.00 feet; thence North,  
00°02'00" East a distance of 984.00 feet to the  
true point of beginning; thence North 89°43'00"  
East a distance of 667.16 feet to a point on  
the West line of U.S. Highway 95 Alternate; thence  
along the West line of said Highway North 00°02'14"  
West a distance of 639.34 feet; thence South  
89°43'00" West a distance of 666.06 feet to a  
point which bears North 00°02'00" East a distance  
of 667.16 feet to the true point of beginning;

## STATE OF NEVADA

DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH  
VITAL STATISTICSSTATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH — SECTION OF VITAL STATISTICS  
CERTIFICATE OF DEATH

89 000372

LOCAL FILE NUMBER	First	Middle	Last	DATE OF DEATH (Month Day Year)	STATE FILE NUMBER	
ED-NAME			PFFPLFS	2 January 21, 1989	COUNTY OF DEATH	
OWN. OR LOCATION OF DEATH (e.g. White, Black, American Indian, etc.) (Specify)	HOSPITAL OR OTHER INSTITUTION—Name if not either, give street and number			1st Hosp. or Inst. indicate DCA, OP/Emer 1st Inpatient (Specify)		
Brington	3c. South Lyon Community Hospital			3a.	Lyon	
Was Decedent of Hispanic Origin? Specify □ yes □ no If yes, specify Mexican, Cuban, Puerto Rican, etc.	AGE—Ls. <sup>t</sup> Birthday—Year	UNDER 1 YEAR MO <sup>s</sup> : DAYS	UNDER 1 DAY HOURS : MINS	SEX		
9a.	7a. 65	7b.	7c.	4 Male		
OF BIRTH: I.S.A., name country)	CITIZEN OF WHAT COUNTRY	Decedent's Education grade completed.	MARRIED NEVER MARRIED WIDOWED, DIVORCED (Specify)	SURVIVING SPOUSE (If no, give maiden name)		
Texas	9b. U.S.A.	10.	11. Married	12. Norma Booth		
SECURITY NUMBER	USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even if Retired)			KIND OF BUSINESS OR INDUSTRY		
4-12-0703	14a. Maintenance Man			14b. Lyon County		
ENCE-STATE	COUNTY	CITY, TOWN, OR LOCATION	STREET AND NUMBER	INSIDE CITY LIMITS (Specify Yes or No)		
Nevada	15a. Lyon	15c. Yerington	15d. Hwy 95A 141 North	15e. No		
ER-NAME	First	Middle	Last			
Josiah						
MAILING ADDRESS			(Street or R.F.D. No., City or Town, State, Zip)			
16b. Hwy 95A- 141 North, Yerington, Nevada 89447			LOCATION	City or Town State		
CEMETERY OR CREMATORIAL NAME			19c. Yerington, Nevada	10 89447		
Burial	19b. Valley View Cemetery			FERN DIRECTOR LICENSE NUMBER		
ERAL DIRECTOR—SIGNATURE Person Acting as Such) ►				20c. Freitas Funeral Home, Box 507, Yerington, NV	22a. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) and manner stated.	
21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature and Title) ►			DATE SIGNED (Mo., Day, Yr.)			DATE RECEIVED BY REGISTRAR (Mo., Day, Yr.)
21b. 1/21/1989			21c. 1545			24b. 1-24-89
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)			22d. CN			22e. PRONOUNCED DEAD (Mo., Day, Yr.)
21d. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OF CORONER) (Type or Print)			22f. AT			22g. PRONOUNCED DEAD (Hour)
23a. Dr. Richard Hanke, Box 940, Yerington, Nevada 89447			23b. DATE RECEIVED BY REGISTRAR (Mo., Day, Yr.)			23c. LICENSE NUMBER
a. (Signature) ►	24b. 1-24-89			24c. YES □ NO □		
b. (Signature) ►			24d. DEATH DUE TO COMMUNICABLE DISEASE			Interval between onset and death
c. (Signature) ►			24e. YES □ NO □			Interval between onset and death
d. (Signature) ►			24f. YES □ NO □			Interval between onset and death
e. (Signature) ►			24g. YES □ NO □			Interval between onset and death
f. (Signature) ►			24h. YES □ NO □			Interval between onset and death
g. (Signature) ►			24i. YES □ NO □			Interval between onset and death
h. (Signature) ►			24j. YES □ NO □			Interval between onset and death
i. (Signature) ►			24k. YES □ NO □			Interval between onset and death
j. (Signature) ►			24l. YES □ NO □			Interval between onset and death
k. (Signature) ►			24m. YES □ NO □			Interval between onset and death
l. (Signature) ►			24n. YES □ NO □			Interval between onset and death
m. (Signature) ►			24o. YES □ NO □			Interval between onset and death
n. (Signature) ►			24p. YES □ NO □			Interval between onset and death
o. (Signature) ►			24q. YES □ NO □			Interval between onset and death
p. (Signature) ►			24r. YES □ NO □			Interval between onset and death
q. (Signature) ►			24s. YES □ NO □			Interval between onset and death
r. (Signature) ►			24t. YES □ NO □			Interval between onset and death
s. (Signature) ►			24u. YES □ NO □			Interval between onset and death
t. (Signature) ►			24v. YES □ NO □			Interval between onset and death
u. (Signature) ►			24w. YES □ NO □			Interval between onset and death
v. (Signature) ►			24x. YES □ NO □			Interval between onset and death
w. (Signature) ►			24y. YES □ NO □			Interval between onset and death
x. (Signature) ►			24z. YES □ NO □			Interval between onset and death
y. (Signature) ►			24aa. YES □ NO □			Interval between onset and death
z. (Signature) ►			24ab. YES □ NO □			Interval between onset and death
aa. (Signature) ►			24ac. YES □ NO □			Interval between onset and death
ab. (Signature) ►			24ad. YES □ NO □			Interval between onset and death
ac. (Signature) ►			24ae. YES □ NO □			Interval between onset and death
ad. (Signature) ►			24af. YES □ NO □			Interval between onset and death
ae. (Signature) ►			24ag. YES □ NO □			Interval between onset and death
ad. (Signature) ►			24ah. YES □ NO □			Interval between onset and death
ae. (Signature) ►			24ai. YES □ NO □			Interval between onset and death
ad. (Signature) ►			24aj. YES □ NO □			Interval between onset and death
ae. (Signature) ►			24ak. YES □ NO □			Interval between onset and death
ad. (Signature) ►			24al. YES □ NO □			Interval between onset and death
ae. (Signature) ►			24am. YES □ NO □			Interval between onset and death
ad. (Signature) ►			24an. YES □ NO □			Interval between onset and death
ae. (Signature) ►			24ao. YES □ NO □			Interval between onset and death
ad. (Signature) ►			24ap. YES □ NO □			Interval between onset and death
ae. (Signature) ►			24aq. YES □ NO □			Interval between onset and death
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Tanika Scaringe [PJC]

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF LYON

IN THE MATTER OF THE ESTATE  
OF

JOSIAH P. PEEPLES, JUNIOR,  
also known as JOSIAH PEEPLES,  
also known as J. P. PEEPLES,  
Deceased.

ORDER AND DECREE APPROVING  
FIRST AND FINAL ACCOUNT,  
APPLICATION FOR FEES AND  
PETITION FOR DISTRIBUTION

NORMA M. PEEPLES, Executrix of the Estate of JOSIAH P  
PEEPLES, JUNIOR, also known as JOSIAH PEEPLES, also known as J  
PEEPLES, deceased, having heretofore filed her First and Final  
Account, of her administration of said estate, and having wit  
said account filed a Petition for Distribution of said estate  
and said account and petition this day coming on regularly to  
heard, and proof having been made to the satisfaction of the  
Court that notice of said hearing has been given in the manne  
and for the time required by law, and no person appearing to  
test the same, this Court, after hearing and considering the  
dence and being fully advised, finds:

1. That on May 1, 1989, this Court made and entere  
Order establishing that the decedent died on or about the 21  
day of January, 1989, testate, in Yerington, Lyon County, Ne  
and was at his death a resident of Yerington, Lyon County,  
Nevada; that decedent left real property subject to the jur

tion of this Court, in the State of Nevada, and ordering that  
Letters Testamentary of the estate of the decedent be issued to  
NORMA M. PEEPLES upon her taking of the oath and that no bond be  
required.

2. That NORMA M. PEEPLES qualified as Executrix on Ma-  
1, 1989, and entered upon the administration of said estate and  
has ever since continued to administer it.

3. That Notice to Creditors has been given as required  
by law, and the time for presentation of claims against the  
estate expired on July 5, 1989; that there were no claims filed  
against the estate.

4. That NORMA M. PEEPLES duly filed with this Court  
verified Record of Value on May 5, 1989, showing assets on ha-  
as of January 21, 1989, of FIFTY THOUSAND DOLLARS (\$50,000.00)

5. That the sole asset of the estate consists of the  
following described real property:

Undivided one-half interest in:

All that certain real property situate in the  
East 1/2 of the East 1/2 of Section 16, Town-  
ship 14 North, Range 25 East, M.D.B.&M., Lyon  
County, Nevada, described as follows:

Beginning at a point which lies N.  $18^{\circ}16'30''$   
W. 2,433.38 feet, which point is the SE corner  
of the herein described parcel. Thence S.  $89^{\circ}$   
 $43'$  W. 201.56 feet; thence N.  $0^{\circ}13'$  E. 219.99  
feet; thence N.  $89^{\circ}43'$  E. 99.02 feet to the  
beginning of a curve to the right having a  
central angle of  $48^{\circ}30'$  and a radius of 20 feet  
for a distance of 16.93 feet to the beginning  
of a reverse curve having a central angle of  
 $138^{\circ}30'$  and a radius of 40 feet for a distance  
of 96.66 feet; thence N.  $89^{\circ}43'$  E. 16.83 feet;  
to the Point

Decedent's one-half interest is \$50,000.00

6. That the names, ages, and residences of the heirs, devisees and legatees of said decedent, so far as known to the Executrix, are as follows:

Norma M. Peeples, surviving spouse  
Highway 95 A - 141 North  
Yerington, Nevada 89447  
Of legal age

Sandra Lee Thomas, daughter  
P.O. Box 1415  
Minden, Nevada 89423  
Of legal age

Patricia J. Glass, daughter  
2320 Connie View Drive  
Elko, Nevada 89801  
Of legal age

Frank T. Peeples, son  
1717 Klamath River Drive  
Rancho Cordova, CA 95670  
Of legal age

Josiah P. Peeples, III, son  
Highway 95 A - 141 North  
Yerington, Nevada 89447  
Of legal age

7. That the Executrix, NORMA M. PEEPLES has rendered

her services to the estate and hereby waives a fee therefor.

8. That the attorney and the Executrix have agreed that

RONALD T. BANTA, CHARTERED, should be allowed a fee for his services rendered to the estate in the sum of FIVE HUNDRED DOLLARS (\$500.00).

9. That the following expenses of administration have been advanced and paid for by RONALD T. BANTA, CHARTERED, atto

Death of [redacted]  
U.S. Postmaster - Mail Notice of Hearing \$ 30.40  
Mason Valley News - Publish Notice of Hearing \$ 21.60  
Mason Valley News - Publish Notice to Creditors \$ 1.00  
U.S. Postmaster - Mail Notice of Hearing \$214.00

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that there will be additional expenses of administration in an unknown amount for recording costs in order to affect the distribution of the estate for which said RONALD T. BANTA, CHARTERED, should be reimbursed.

10. That the estate should now be finally closed and distributed, and that following payment of allowable fees and costs as hereinabove set forth, the estate should be distributed in accordance with the provisions of the decedent's Last Will and Testament, to NORMA M. PEEPLES.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the First and Final Account of the Executrix be, and the same hereby is, allowed, approved and confirmed.

IT IS FURTHER ORDERED that RONALD T. BANTA be, and he hereby is, allowed an attorney's fee for his ordinary services rendered to the estate in the sum of \$ 500.00, and further that he be reimbursed for his advanced costs of administration in the sum of \$214.00 and further costs of as set forth hereinabove.

IT IS FURTHER ORDERED that after payment of the fees and costs as set forth hereinabove, the estate be distributed to NORMA M. PEEPLES.

IT IS FURTHER ORDERED that any and all other property not now known or discovered which may belong to said estate or in which said estate may have any interest, claim or demand, be, and the same hereby is distributed to NORMA M. PEEPLES.

...  
state of JOSIAH P. PEEPLFS, JUNIOR, also known as JOSIAH  
Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 183 of 233  
ES, also known as J. P. PEEPLES, Deceased, and herein  
red to as Grantor, and NORMA M. PEEPLES, of Highway 95 A -  
orth, Yerington, Nevada 89447, herein referred to as  
ee,

W I T N E S S E T H:

That on the 17th day of July, 1989, the Third Judicial  
District Court of the State of Nevada, in and for the County of  
, in Action No. PE4518, made an order directing the Executrix  
convey to the Grantee, that certain real property belonging to  
Estate of JOSIAH P. PEEPLES, JUNIOR, also known as JOSIAH  
PEPLES, also known as J. P. PEEPLES, Deceased, situate in the  
County of Lyon, State of Nevada, and specified and particularly  
described in said Order which is on file and of record in the  
Court and is hereby referred to and made a part of this deed.

The Executrix, pursuant to the Order above-mentioned of  
the Third Judicial District Court of the State of Nevada, in and  
for the County of Lyon, in consideration of the sum of ONE DOLLAR  
(\$1.00), paid to Executrix by Grantee, the receipt of which is  
hereby acknowledged, does by these presents revise, release and  
forever quitclaim unto the said Grantee, her heirs and assigns  
forever, all the right, title, and interest that the Estate, by  
operation of law or otherwise, may have acquired, other than or  
in addition to that of the deceased at the time of his death, in  
and to all that certain real property situate in the County of  
Lyon, State of Nevada, and more particularly described as

lows, to-wit:

Case 3:73-cv-00128-RGJ-WGC Document 354 Filed 08/16/00 Page 184 of 233  
All that certain tract of land situate in the  
East 1/2 of the East 1/2 of Section 16, Town  
ship 14 North, Range 25 East, M.D.B.&M., Lyon  
County, Nevada, described as follows:

Beginning at a point which lies N.  $18^{\circ}16'30''$   
W. 2,433.38 feet, which point is the SE corner  
of the herein described parcel. Thence S.  $89^{\circ}$   
 $43' W.$  201.56 feet; thence N.  $0^{\circ}13' E.$  219.99  
feet; thence N.  $89^{\circ}43' E.$  99.02 feet to the  
beginning of a curve to the right having a  
central angle of  $48^{\circ}30'$  and a radius of 20 feet  
for a distance of 16.93 feet to the beginning  
of a reverse curve having a central angle of  
 $138^{\circ}30'$  and a radius of 40 feet for a distance  
of 96.66 feet; thence N.  $89^{\circ}43' E.$  16.83 feet;  
thence S.  $0^{\circ}02' W.$  239.99 feet to the Point  
of Beginning.

Said parcel is known as Lot 4 on Lyon County  
Record of Survey No. 08789.

TOGETHER WITH the tenements, hereditaments and appur-  
tenances belonging to the premises.

TO HAVE AND TO HOLD the above-described premises,  
together with the appurtenances, to Grantee, her heirs and  
assigns forever.

IN WITNESS WHEREOF, the Executrix of the Estate of  
JOSIAH P. PEEPLES, JUNIOR, also known as JOSIAH PEEPLES, also  
known as J. P. PEEPLES, Deceased, has executed this Deed at  
Yerington, Nevada, Nevada, the day and year first above written.

  
\_\_\_\_\_  
NORMA M. PEEPLES

STATE OF NEVADA )  
COUNTY OF LYON ) ss.  
                    )

On this 17<sup>th</sup> day of July, 1989, before me, a notary  
... appeared NORMA M. PEEPLES, known to me to be

**PELLEGRINI**

GRANT DEED

PROPERTY TRANSFER TAX: 71.50

A.P.N. 12-321-03

- ) computed on full value of property conveyed, or  
 ) computed on full value less value of liens and encumbrances ASSUMED

VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

DOLET FERN PELLEGRINI, Trustee of the VIOLET FERN PELLEGRINI TRUST

) hereby GRANT TO MARGARET I. MENCH, a married woman, ILA MAE  
NKHAUSER, a married woman, and CHERRYL A. DEL PORTO, a married  
man all as joint tenants

real property situate in the County of Lyon, State of Nevada,  
as follows:

northeast 1/4 of Northeast 1/4 of Section 15, Township 12 North,  
range 25 East, M.D.B.&M., together with all water and water  
rights, ditches and ditch rights appurtenant to said lands  
according to the records of the Walker River Irrigation District  
or otherwise, including all interest in the Fox Mutual Ditch  
company and all remaining property obtained in said Deed.

HER WITH all tenements, hereditaments and appurtenances thereunto belonging or in  
se appertaining, and any reversion, remainders, rents, issues or profits thereof.

*Violet Fern Pellegrini*

VIOLET FERN PELLEGRINI, Trustee

OF NEVADA  
TY OF LYON

December 28, 1992 before me }  
rsigned, a Notary Public in and for said County and State. } ss  
y appeared

MARGARET FERN PELLEGRINI

I, the person whose name is Susan J. DeChambeau subscribed  
to this instrument, and acknowledged to me that she they  
the same.

In my hand and official seal.

*Susan J. DeChambeau*  
NOTARY PUBLIC

SUSAN J. DECHAMBEAU  
NOTARY PUBLIC STATE OF NEVADA

SPACE BELOW FOR RECORDER'S USE

207805

*Cherryl Del Porto*  
27 DEC 17 1992

APN 04-382 14

APN 04-38277  
**AFFIDAVIT—DEATH OF A JOINT TENANT**

STATE OF NEVADA. Lyon }  
County of \_\_\_\_\_ } ss.

Herbert R. Riva

Lyon

85

STATE OF NEVADA, County of Lyon )  
Herbert R. Riva, of legal age, being duly sworn, deposes and says  
That Anne M. Riva, the decedent mentioned in the attached certified  
copy of the Certificate of Death, is the same person as Anne M. Riva  
named as one of the parties in that certain deed dated 3/25/92  
executed by Charles W. Jones and Virginia Lee Jones  
to Herbert R. Riva and Anne M. Riva, husband and wife  
as joint tenants, recorded as Instrument No. 150599, on 4/15/92  
Book \_\_\_\_\_, Page \_\_\_\_\_, of Official Records of Lyon  
County, Nevada, covering the following described property situated in the  
County of Lyon, State of Nevada

LOT 36, as shown on the official map of PANAVISTA ESTATES SUBDIVISION, UNIT N recorded in the Official Records of Lyon County, Nevada on April 16, 1972 as Document no.09926.

Dated March 25, 1993

SUBSCRIBED AND SWEARN TO BEFORE ME THIS

March, 1993

HERBERT R. RIVA

26th.

Notary Public in and for said State

RIVER, RIVER - 100-10  
Anne River

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 188 of 233

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
2 ZEH, SPOO & HEARNE  
3 575 Forest Street, Suite 200  
Reno, Nevada 89509  
4 Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7

8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )

13 Plaintiff, )

In Equity No. C-125-ECR  
Subfile No. C-125-C

15 WALKER RIVER PAIUTE TRIBE, )

RETURN OF SERVICE

16 Plaintiff-Intervenor, )

17 vs. )

18 WALKER RIVER IRRIGATION DISTRICT, )

19 a corporation, et al.; )

20 Defendants. )

22 MINERAL COUNTY, )

23 Proposed-Plaintiff-Intervenor, )

24 vs. )

26 WALKER RIVER IRRIGATION DISTRICT, )

27 a corporation, et al. )

28 I Kenneth Reek, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: Herbert Rice, heir to (Print name of person served)

4 of: Anne Rice (Title and company where applicable)

5 on: 6-12-99 (Date of service)

6 at: 301 (Time of service)

7 at the following place:

8 12 Runyista Circle, (Jerupton) (Address or location)

9 in the following manner:

10  served personally

11  left copies

12  unable to execute service (why) \_\_\_\_\_

13  other (specify) \_\_\_\_\_

14 Remarks: \_\_\_\_\_

15 I declare under penalty of perjury under the laws of the United States of America that the  
16 foregoing information in this Return of Service is true and correct.

17 6-12-99  
18 \_\_\_\_\_  
19 \_\_\_\_\_  
20 \_\_\_\_\_  
21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 \_\_\_\_\_  
24 \_\_\_\_\_  
25 \_\_\_\_\_  
26 \_\_\_\_\_  
27 \_\_\_\_\_  
28 \_\_\_\_\_

Signature of Server

Bethany Rice

Mineral

(Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

# **SARIO LIVESTOCK COMPANY**

Order No. TSF-4672  
RPTT \$39.00  
APN 21-165-09

Mail Tax Bill to Grantee:  
720 Thornebird Dr.  
Fallon, Nv. 89406

**GRANT, BARGAIN and SALE DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

SARIO LIVESTOCK COMPANY, a Nevada general partnership

does hereby GRANT, BARGAIN and SELL TO

O. KYLE VAUGHAN and LEOMA VAUGHAN, husband and wife as Joint Tenant  
with the Right of Survivorship

the real property situate in the County of Lyon, State of Nevada  
described as follows:

All that certain real property being a portion of SW 1/4 of NE  
of Section 15, T 20 N, R 24 E, M.P.B.&M., and being a portion  
of Parcel 2, Lyon County Parcel Map 154458, described as follows:

Parcel 3 as shown on the Parcel Map for Sario Livestock Company  
recorded in the Official Records of Lyon County, Nevada on December  
17, 1992, as Document No. 157702.

TOGETHER WITH all tenements, hereditaments and appurtenances  
thereunto belonging or in anywise appertaining, and any revers  
remainders, rents, issues or profits thereof.

DATED 6/23/94

SARIO LIVESTOCK COMPANY, a Nevada  
general partnership

Beatrice Presto  
BEATRICE PRESTO, Successor Trustee  
of the Ramon and Beatrice Presto  
Family Trust, Partner

NEVADA  
STATE OF CALIFORNIA )  
ss.

SARIO LIVESTOCK COMPANY, a Nevada general partnership

does hereby GRANT, BARGAIN and SELL TO

SIERRA NEVADA LANDCO, INC., a Nevada corporation

the real property situate in the County of Lyon, State of N.  
described as follows:

T 19 N, R 24 E, M.D.B.&M.

Section 1: All.

Section 3: All.

Section 11: All.

Section 13: All.

T 20 N, R 24 E, M.D.B.&M.

Section 9: Government Lot 2.

Section 21: All.

Section 23: The S 1/2 of the N 1/2 lying West of U.S. Highway  
Alternate.

Section 25: The W 1/2 of W 1/2 lying West of U.S. Highway  
Alternate.

Section 27: All.

Section 35: All.

All that certain real property being a portion of Section 15,  
N, R 24 E, M.D.B.&M., Lyon County, Nevada, described as follc

Parcel 4 as shown on the Parcel Map for Saro Livestock Com  
recorded in the Official Records of Lyon County, Nevada, on A  
24, 1992 as Document No. 154458.

All that certain real property being a portion of the S 1,  
Section 23, T 20 N, R 24 E, M.D.B.&M., Lyon County, Ne  
described as follows:

Commencing at the SW corner of Section 23, T 20 N, R 2  
M.D.B.&M., the true point of beginning, thence North 0°24'53"  
a distance of 2,644.40 feet to the West 1/4 corner of said sec  
thence South 89°30'29" East a distance of 4,796.87 feet to the  
right of way line of U.S. Highway 95 Alternate, thence along  
West right of way line South 16°33'14" East a distance of 13  
feet, thence North 89°34'36" West a distance of 1159.14 feet, t  
South 0°08'53" East a distance of 1317.17 feet to the south li  
Section 23, thence North 89°38'41" West a distance of 1338.88  
thence North 89°39'23" West a distance of 2713.42 feet to the  
of beginning.

TOGETHER WITH all water rights, all mineral rights and all gr  
rights which are appurtenant to the above described property.

**SCEIRINE**

1 Department No. I

FILED  
00 FE 18 AM 7/17  
NIKKI A. BRYAN  
LYON COUNTY CLERK

*Nikki Bryan* DEPUTY

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF  
NEVADA IN AND FOR THE COUNTY OF LYON

\* \* \* \* \*

IN THE MATTER OF THE ESTATE OF

JACKIE DUANE SCEIRINE,  
also known as JACKIE SCEIRINE,  
also known as JACKIE D. SCEIRINE,

ORDER

Deceased.

I. Introduction

This case arises from a Petition for Probate filed on June 26, 1998.

An Order Admitting Will to Probate and Issuing Letters Testamentary was issued by this Court on July 27, 1998. That Order named the Decedent's sons, William Todd Sceirine and Michael Duane Sceirine, as Co-Executors of the estate. An Inventory, Appraisement, and Record of Value was filed on January 8, 1999. The Decedent's widow, Beverly Sceirine ("Objectioner"), filed an Objection to the Inventory Appraisement, and Record of Value on March 3, 1999. An Order Correcting the Inventory, Appraisement, and Record of Value was issued by this Court on April 8, 1999. On April 16, 1999, the Co-Executors filed a Motion for Reconsideration of the Order Correcting the Inventory, Appraisement, and Record of Value. On April 26, 1999, the Objectioner filed an Opposition to the Motion for Reconsideration.

The Co-Executors filed a Reply to the Opposition on May 5, 1999. The Objectioner filed a Response to the Co-Executor's Reply to the Opposition on May 10, 1999. This Court held a hearing on the pending matters on November 22, 1999. The Co-Executors filed a Post-Hearing Brief on January 14, 1999. The Objectioner filed a Post-Hearing Brief of Beverly Sceirine on January 19, 1999.

## II. Discussion

**A. THE SCEIRINE RANCH WAS THE DECEDENT'S SEPARATE PROPERTY**

NRS 123.220 provides that property acquired during marriage is presumed community property, except as otherwise provided in NRS 123.130. That statute provides that property acquired during marriage by gift, bequest, devise or descent, is separate property. That separate property characterization may be changed by clear and convincing evidence that the separate property was transmuted to community property. *Sprenger v. Sprenger*, 110 Nev. 855, 878 P.2d 284 (1994).

The Decedent inherited a seven-eighths (7/8) interest in the Sceirine Ranch from his parents. Evidence was presented showing that the Decedent was aware of the various tax advantages associated with transmuting his separate property to community property. The Decedent declined to transmute the Sceirine Ranch to community property and his Last Will and Testament clearly bequeaths the property to the Co-Executors. This Court finds that the Objectioner failed to present clear and convincing evidence that the Decedent intended the Scierine Ranch to be community property.

1 THERE IS NO COMMUNITY INTEREST IN THE SCIERINE

2 RANCH VIA THE DECEDENT'S LABOR AND EFFORTS

3 Where one spouse devotes time, labor and skill to increase the value  
4 of separate property, the court can apportion the increased value between the  
5 separate property estate and the community property estate. *Johnson v. Johnson*, 89  
6 Nev. 244, 510 P.2d 625 (1973). Apportionment is not warranted where the  
7 increased value is due to the natural enhancement of the property, the spouse's  
8 efforts were minimal, or no evidence was presented as to the value of the spouse's  
9 services. *Cord v. Neuhoff*, 94 Nev. 21, 573 P.2d 1170 (1978).

10  
11 There does appear to be confusion over the business conducted on  
12 the Sceirine Ranch and the ranch itself. The Decedent spent a considerable amount  
13 of time and labor managing the Lazy S. Ranch, the business conducted on the  
14 Sceirine Ranch. The Objectioner already has a community interest in the assets of  
15 that business, including the ranch machinery and the cattle herd.

16  
17 Evidence relating to the value of the Sceirine Ranch, i.e., the real  
18 property, demonstrates that there is no community interest in the property. One  
19 appraisal places a substantially increased value on the property because of the  
20 recreational potential of the property. That recreational potential is related to  
21 natural characteristics of the property, not to any efforts put forth by the Decedent.  
22 More important is the evidence relating to the Sceirine Ranch's value as a ranch.  
23 Two appraisals contemplating such a use show that the value of the property has  
24 actually decreased since the time of the Decedent's mother's death in 1988. This  
25 Court finds that any increase in the value of the property is due to the natural

incement of the property and that there is no community interest in the Sceirine Ranch via the Decedent's time and labor.

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### **C. THE PURCHASE OF THE ONE-EIGHTH INTEREST IN THE SCEIRINE RANCH CREATED A COMMUNITY PROPERTY INTEREST**

The community property presumption can only be overcome by clear convincing evidence. *Pryor v. Pryor*, 103 Nev. 148, 734 P.2d 718 (1987) [and *Burdick v. Pope*, 90 Nev. 28, 518 P.2d 146 (1974)].

The Decedent and the Objectioner purchased the Decedent's brother's eighth (1/8) interest in the Sceirine Ranch. That interest was purchased during marriage and is therefore presumed community property. This Court finds that the Executors failed to provide clear and convincing evidence that the interest was purchased with the Decedent's separate property funds.

### **III. Conclusion**

The Sceirine Ranch was the separate property of the Decedent. The community did not gain an interest in the Sceirine Ranch via the Decedent's labor or efforts in managing the Lazy S. Ranch. The community did gain an interest in the Ranch when the Decedent and the Objectioner purchased a one-eighth (1/8) interest in the property and therefore the Objectioner owns a one-sixteenth (1/16) interest in the Sceirine Ranch.

Good cause appearing,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that the Executors' Motion for Reconsideration of the Order Correcting the**

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SPOO & HEARNE  
4 575 Forest Street, Suite 200  
Reno, Nevada 89509  
Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7

8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )

13 Plaintiff, ) In Equity No. C-125-ECR  
14 ) Subfile No. C-125-C

15 WALKER RIVER PAIUTE TRIBE, )

16 Plaintiff-Intervenor, ) RETURN OF SERVICE

17 vs. )

18 )

19 WALKER RIVER IRRIGATION DISTRICT, )

a corporation, et al.; )

20 Defendants. )

21 ----- )

22 MINERAL COUNTY, )

23 Proposed-Plaintiff-Intervenor, )

24 vs. )

25 )

26 WALKER RIVER IRRIGATION DISTRICT, )

a corporation, et al. )

27 ----- )

28 I Cindi Ekwash, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (702) 323-5700 FAX: (702) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: Beverly Seidler, heir to (Print name of person served)

4 of: Jackie Seidler (Title and company where applicable)

5 on: Sept. 1, 1999 (Date of service)

6 at: 3:30 (Time of service)

7 at the following place:

8 Miller Lane, Fernport (Address or location)

9 in the following manner:

10 [X] served personally

11 [ ] left copies

12 [ ] unable to execute service (why) \_\_\_\_\_  
13 \_\_\_\_\_

14 [ ] other (specify) \_\_\_\_\_  
15 \_\_\_\_\_

16 Remarks: \_\_\_\_\_  
17 \_\_\_\_\_

18 I declare under penalty of perjury under the laws of the United States of America that the  
19 foregoing information in this Return of Service is true and correct.

20 9/6/99

21 Date

C. E. Clark

22 Signature of Server

23 375 Forest St., Ste. 200

24 Reno, NV 89509

25 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 **ZEH, SPOO & HEARNE**  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
6 Telephone: (702) 323-5700

7  
8  
9  
10 Attorneys for Intervenor,  
11 MINERAL COUNTY NEVADA

12  
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27  
28 UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA, )

Plaintiff, )

WALKER RIVER PAIUTE TRIBE, )

Plaintiff-Intervenor, )

vs. )

WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al.; )

Defendants. )

----- )

MINERAL COUNTY, )

Proposed-Plaintiff-Intervenor, )

vs. )

WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al. )

In Equity No. C-125-ECR  
Subfile No. C-125-C

**RETURN OF SERVICE**

I ANNA JAYA L, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

2 Lieu of Summons

3 upon: Lindel, Sawyer & Collins, Registered Agent for:  
4 (Print name of person served)

5 of: Sunrise Ranch, LLC, (Title and company where applicable)

6 on: 8/26/00 (Date of service)

7 at: 4:30pm (Time of service)

8 at the following place:

9 300 S 4th St.  
10 Las Vegas, Nevada 89101 (Address or location)

11 in the following manner:

12  served personally

13  left copies

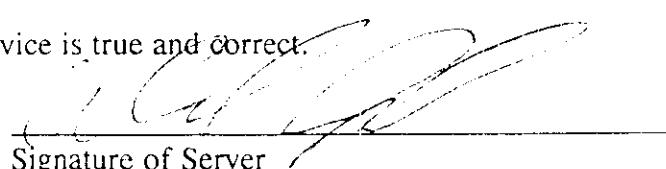
14  unable to execute service (why) \_\_\_\_\_

15  
16  
17  other (specify) Karen Shuler accepted documents

18  
19 Remarks: \_\_\_\_\_

20  
21 I declare under penalty of perjury under the laws of the United States of America that the  
22 foregoing information in this Return of Service is true and correct.

23  
24 8/26/00  
25 Date

  
Signature of Server

26 4535 W. Sahara, 203

27 Las Vegas, NV 89102

28 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

Sunrise Ranch LLC

c/o Lewis Street Management Corporation

1930 Lewis Street S.E.

Salem, Oregon 97302

TSL 20269

*Rett Ø*

WATER RIGHTS DEED

This Indenture, made and entered into this 2nd day of June, 1999 by and between GARY CLIFFORD SILVA and TILDEAN L. SILVA, husband and wife, Grantors, and SUNRISE RANCH LLC, Grantee, as follows:

WITNESSETH:

That the said Grantors, in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, to them in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the said Grantee, and to the survivor of Grantee and to the heirs and assigns of such survivor forever, all of the rights of the Grantors to divert waters from any and all underground and/or surface sources appurtenant to the land situate in the County of Lyon, State of Nevada, that is described in Exhibit "A" attached hereto and made a part hereof.

Said water rights include but are not limited to all water rights described in Walker River Irrigation District Joggles Ditch Water Cards #48,810 and #48,811, attached as Exhibit "B," and all domestic wells.

TO HAVE AND TO HOLD the said water rights, together with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, unto the said Grantee, and to the survivor of Grantee and to the heirs and assigns of such survivor forever.

IN WITNESS WHEREOF, the Grantors have executed this conveyance the day and year first above written.

*Gary Clifford Silva* 6-2-99  
GARY CLIFFORD SILVA

DATE

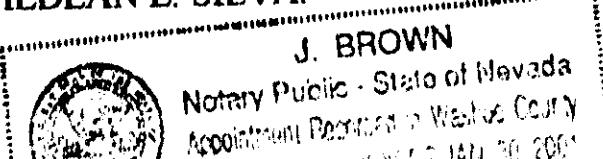
*Tildean L. Silva* 6-2-99  
TILDEAN L. SILVA

DATE

STATE OF NEVADA )  
 ) ss.  
 COUNTY OF WASHOE )

This instrument was acknowledged before me on 6-2-99, 1999,  
by GARY CLIFFORD SILVA and TILDEAN L. SILVA.

*J. Brown*  
Notary Public



234709

**STONE**

## GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledg  
 MICHAEL A. CASEY and CLAUDIA C. CASEY, husband and wife  
 do hereby GRANT, BARGAIN and SELL TO  
 William Stone, an unmarried man

the real property situate in the County of Lyon, State of Nevada  
 described as follows:

All that certain real property being a portion of the NE 1/4 of NE 1  
 of Section 34, T 13 N, R 25 E, M.D.B.&M., Lyon County, Nevada, describ  
 as follows:

Parcel B as shown on the Parcel Map for Michael & Claudia Case  
 recorded in the Official Records of Lyon County, Nevada, on May 1  
 1994 as Document No. 171696.

TOGETHER WITH all tenements, hereditaments and appurtenances thereu  
 belonging or in anywise appertaining, and any reversion, remainde  
 rents, issues or profits thereof.

DATED 8-12-94



Michael A. Casey  
 MICHAEL A. CASEY



Claudia C. Casey  
 CLAUDIA C. CASEY

STATE OF NEVADA )  
 CHURCHILL ) ss.  
 COUNTY OF LYON )

On August 12, 1994 personally appeared before me, a Notary Pu  
 (or Judge or other authorized person, as the case may be), MICHAEL  
 CASEY and CLAUDIA C. CASEY, who acknowledged to me that they execu  
 the within instrument.



The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 15.60

(X) computed on full value of property conveyed, or

( ) computed on full value less value of liens and encumbrances remaining at time of sale

( ) Unincorporated area: ( ) City of \_\_\_\_\_, and

( ) Realty not sold.

### GRANT, BARGAIN, SALE DEED

That MICHAEL A. CASEY AND CLAUDIA C. CASEY, husband and wife in consideration of \$10.00 Dollars, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell all that real property in the

to WILLIAM STONE, an unmarried man

of LYON, State of Nevada, bounded and described as follows:

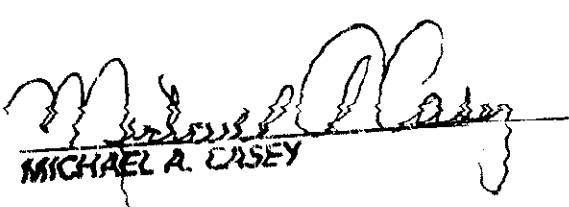
See Exhibit "A" attached hereto and made a part hereof

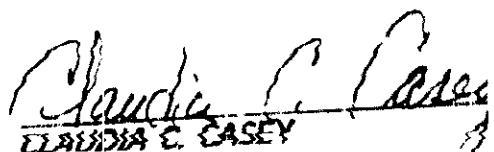
RESERVING UNTO GRANTOR HEREIN A NON-EXCLUSIVE EASEMENT FOR A DITCH AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

B

Together with all singular the tenements, hereditaments and appurtenances thereunto belonging  
anywise appertaining.

Dated 12-17-96

  
MICHAEL A. CASEY

  
Claudia C. Casey  
CLAUDIA C. CASEY

STATE OF NEVADA

COUNTY OF CHURCHILL

On 12-17-96 personally appeared before me, a Notary Public, MICHAEL A. CASEY

and CLAUDIA C. CASEY who acknowledged that they executed the above instrument.





RESOLUTION

99-3

WHEREAS, it has come to the attention of the Board of Directors that many areas and tracts within the District are being subdivided for residential purposes, and such parcels, lots and tracts generally make no use of the irrigation facilities of the District, and are no longer benefited by remaining a part thereof, and

WHEREAS the clerical expense of keeping current ownership and assessment records on these numerous small parcels exceeds the assessment levied, and

WHEREAS it is the desire of many owners of such tracts to be separated from the District, and relieved of its assessments, and

WHEREAS the exclusion of such tracts would not interfere with the District functions.

NOW THEREFORE BE IT RESOLVED that it is the intention of the District to exclude from its benefits the following properties:

Charles J. & Mary A. Hartman

1.0 acre (Fr. NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Sec. 14; T. 13 N., R. 25 E.)

Richard L. & Joan F. Phillips

.402 acres (Lot 30 Fairway Estates T. 13 N., R. 25 E.)

William Stone

1.50 acres (Fr. E  $\frac{1}{2}$  of N  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Sec. 34; T. 13 N., R. 25E.)

AND BE FURTHER RESOLVED that all storage benefits attached to any of these parcels so excluded shall revert to the District and become a part of its general supply to be apportioned among the remaining water right lands, and

BE IT FURTHER RESOLVED that on May 8, 1998, the Board passed a motion to exclude the above mentioned parcels from the District and to exonerate the owners from paying taxes to the District.

BE IT FURTHER RESOLVED that the Secretary and Manager of the District published notices of this matter in the Mason Valley News, as required by law.

The foregoing Resolution adopted at a regular meeting of the Board of Directors of the Walker River Irrigation District this 7<sup>th</sup> day of June, 1999, by the following vote:

Ayes:

4  
0  
1

Noes:

Absent:

WALKER RIVER IRRIGATION DISTRICT

By Robert C. Bryan

ATTEST: Leah Compston  
SECRETARY

I hereby certify that the above and foregoing is a full, true and correct copy of the resolution adopted by the Board of Directors of the Walker River Irrigation District on the 7<sup>th</sup> day of June, 1999, as the same appears in the official minutes of the meeting of the Board.

Leah Compston  
LEAH COMPSTON, Board Secretary

**SWAINSTON**

10-381-01

D E E D

THIS INDENTURE, made this 3rd day of March, 1990  
by and between GEORGE D. SWAINSTON and DOROTHY E. SWAINSTON, husband  
and wife, Parties of the First Part and GEORGE D. SWAINSTON and  
DOROTHY W. SWAINSTON, TRUSTEES OF THE GEORGE D. SWAINSTON FAMILY TRU  
Parties of the Second Part,

W I T N E S S E T H:

THAT the said Parties of the First Part, for and in consider-  
ation of the sum of TEN DOLLARS (\$10.00) lawful money of the Unit  
States and other valuable consideration, to them in hand paid by the  
said Parties of the Second Part, the receipt whereof is hereby acknow-  
ledged, do by these presents, sell, transfer and convey to GEORGE D.  
SWAINSTON and DOROTHY W. SWAINSTON as Trustees of THE GEORGE D.  
SWAINSTON FAMILY TRUST, for the uses and purposes as set forth in  
THE GEORGE D. SWAINSTON FAMILY TRUST AGREEMENT dated March 5, 1990,  
the following-described real property situate in the County of Lyon,  
State of Nevada as follows:

Beginning at northwest corner of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 25,  
Township 11 North, Range 23 East, M.D.B.& M., thence running  
south 1902 feet to a point on Burbank Ditch; thence following  
Burbank Ditch to the southeast corner of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$   
of Section 25; thence east 331 feet; thence north 1324 feet  
to point on ditch; thence west to point of beginning, all in  
Section 25, Township 11 North, Range 23 East, M.D.B.& M.; also

Beginning at an iron pin at northeast corner of the  
Creamery Lot, northeast corner of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 25,  
Township 11 North, Range 23, East; thence running west 944  
feet to stake at Mirason's corner; thence running south 508  
feet to stake; thence running east 944 feet to iron pin;  
thence running north to point of beginning, also

Beginning at the northeast corner of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of  
Section 25, Township 11 North, Range 23 East, and running  
thence west 45 feet; thence south 508 feet; thence east  
45 feet; thence north 508 feet to point of beginning.

TOGETHER WITH all water and water rights, ditches and  
ditch rights appurtenant thereto, including the waters of  
Walker River Irrigation District apportioned to the said  
above lands.

TOGETHER with all and singular, the tenements, hereditame

THIS INDENTURE, made this 3rd day of March, 199  
Case 3:73-cv-00128-RJW-WGC Document 354 Filed 08/16/00 Page 210 of 233  
By and between GEORGE D. SWAINSTON AND DOROTHY W. SWAINSTON, husband  
and wife, Parties of the First Part, and GEORGE D. SWAINSTON and  
DOROTHY W. SWAINSTON, TRUSTEES OF THE GEORGE D. SWAINSTON FAMILY TRUST,  
Parties of the Second Part,

W I T N E S S E T H:

THAT the said Parties of the First Part, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States and other valuable consideration, to them in hand paid by the said Parties of the Second Part, the receipt whereof is hereby acknowledged, do by these presents, sell, transfer and convey to GEORGE D. SWAINSTON and DOROTHY W. SWAINSTON as Trustees of THE GEORGE D. SWAINSTON FAMILY TRUST, for the uses and purposes as set forth in THE GEORGE D. SWAINSTON FAMILY TRUST AGREEMENT dated March 5, 1990, the following described real property situate in the County of Lyon, State of Nevada, as follows:

A parcel of land in the Southeast one-quarter of the Northeast one-quarter of Section 25, Township 11 North, Range 23 East, M.D.B.& M.more particularly described as follows:

BEGINNING at a point which is South 1827.80 feet and South 89°42'40" West, 513.31 feet from the Northeast corner of said Section 25; being the most Northeast corner of the parcel of land first described in Deed to James T. McKay et ux, recorded April 5, 1920 in Book V of Deeds at page 232, records of Lyon County, Nevada; thence along the boundary line of said parcel, South 0°45'29" East, a distance of 160.26 feet to an angle point thereon; thence leaving said boundary line, South 0°45'29" East, a distance of 308.45 feet; thence South 19°28'31" West, a distance of 376.35 feet to the South line of the aforementioned McKay parcel; thence along said South line, South 89°44'43" West, a distance of 361.75 feet to the Southwest corner thereof; thence along the West line of said McKay parcel, North 0°48'10" East, a distance of 824.93 feet to the Northwest corner thereof; thence along the North line of said parcel, North 89°09'45" East, a distance of 468.60 feet to the point of beginning.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining and reversion and reversions, remainder and remainders, rents, issues and profits thereof.

D E E D

THIS INDENTURE, made this 3rd day of March, 1990  
between GEORGE DONALD SWAINSTON and DOROTHY E. SWAINSTON,  
and wife, Parties of the First Part, and GEORGE D. SWAINSTON  
DOROTHY W. SWAINSTON, TRUSTEES OF THE GEORGE D. SWAINSTON FAMILY  
TRUST, Parties of the Second Part,

W I T N E S S E T H:

THAT the said Parties of the First Part, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States and other valuable consideration, to them in hand paid by the said Parties of the Second Part, the receipt whereof is hereby acknowledged, do by these presents, sell, transfer and convey to GE D. SWAINSTON and DOROTHY W. SWAINSTON as Trustees of THE GE D. SWAINSTON FAMILY TRUST, for the uses and purposes as set forth in THE GEORGE D. SWAINSTON FAMILY TRUST AGREEMENT dated March 5, 1990, the following-described real property situate in the County of , State of Nevada as follows:

Commencing at a stake at the southeast corner of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 25, running thence North 2324 feet to a point indicated by a pin; thence Southwesterly 1895 feet to a point indicated by a pin; thence South 994 feet to a point indicated by a pin; thence East 1320 feet to the point of beginning; all in Section 25, Township 11 North, Range 23 East, M.D.B.& M.

SUBJECT to reservations, restrictions, liens and encumbrances of record.

TOGETHER with all buildings and improvements situate thereon. TOGETHER with all waters, water rights, rights to the use of waters, dams, ditches, canals, pipe lines, reservoirs, and all other means for the diversion or use of waters appurtenant to the said property or any part thereof, or used or enjoyed in connection therewith, and together with all stockwatering rights used or enjoyed with the use of any of said lands.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
2 ZEH, SPOO & HEARNE  
3 575 Forest Street, Suite 200  
Reno, Nevada 89509  
4 Telephone: (702) 323-5700

5 Attorneys for Intervenor,  
6 MINERAL COUNTY NEVADA

7

8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )  
13 )  
14 Plaintiff, ) In Equity No. C-125-ECR  
15 WALKER RIVER PAIUTE TRIBE, ) Subfile No. C-125-C  
16 Plaintiff-Intervenor, )  
17 vs. )  
18 )  
19 WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al.; )  
20 )  
21 Defendants. )  
----- )  
22 MINERAL COUNTY, )  
23 )  
24 Proposed-Plaintiff-Intervenor, )  
25 vs. )  
26 WALKER RIVER IRRIGATION DISTRICT, )  
a corporation, et al. )  
27 )

28 I Cindy Duran, hereby certify that service of process of Mineral  
(Print name of server)

Zeh, Spoo & Hearne  
575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel.: (775) 323-5700 FAX: (775) 786-8183

1 County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in  
2 Lieu of Summons

3 upon: GEORGE SWAINSTON <sup>TRUSTEE</sup> (Print name of person served)

4 of: SWAINSTON FAMILY TRUST (Title and company where applicable)

5 on: 7-21-99 (Date of service)

6 at: 3:45 p.m. (Time of service)

7 at the following place:

8 99 W. ARROYO (Address or location)

9 in the following manner:

10  served personally

11  left copies

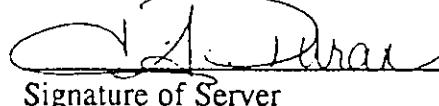
12  unable to execute service (why) \_\_\_\_\_

13  other (specify) \_\_\_\_\_

14 Remarks: \_\_\_\_\_

15 I declare under penalty of perjury under the laws of the United States of America that the  
16 foregoing information in this Return of Service is true and correct.

17 Date July 21, 1999

18   
Signature of Server

19 575 Forest St. Suite 200

20 Reno, NV 89509

21 (Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

**VIRGINIA CREEK HYDRO, INC.**

PICKETT & SCHROEDER

*Professional Law Corporation*

**ALIECE M. PICKETT, J.D.**

LICENSED IN CALIFORNIA AND ILLINOIS

**EDWARD P. SCHROEDER, J.D., C.P.A.**

LICENSED IN CALIFORNIA AND INDIANA

**REINHOLD SCHROEDER, J.D., C.P.A., M.S.T.**

LICENSED IN CALIFORNIA AND INDIANA

*Of Counsel*

**TERRY J. CARLTON, J.D.**

*Paralegal*

**PAMELA A. BARTELT**

20311 BIRCH STREET

SUITE 150

NEWPORT BEACH, CA 92660

714.263.0410

*Facsimile*

714.263.0830

April 21, 1998

Treva J. Hearne, Esq.

James Spoo, Esq.

ZEH, POLAHA, SPOO, HEARNE & PICKER

575 Forest Street, Suite 200

Reno, Nevada 89509

RE: *United States of America v. Walker River Paiute Tribe*  
Our File No.: 1614-6.1(j)

Dear Attorneys Hearne and Spoo:

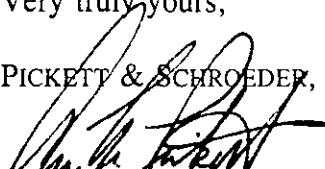
This firm represents Arnold S. Beckman and the Conway Ranch Partnership regarding property located in Mono County, CA. Mr. Beckman received the Notice in Lieu of Summons for the *United States of America v. Walker River Paiute Tribe* lawsuit.

Please be advised that as of January 16, 1998, Mr. Beckman and Conway Ranch Partnership no longer own the property. The new property owner is the Trust for Public Land. I have enclosed the Grant Deed evidencing the transfer, for your information and reference.

If you have any questions regarding this letter, please contact me.

Very truly yours,

PICKETT & SCHROEDER, PLC

  
ALIECE M. PICKETT

AMP:pab

Enclosure

cc: Mr. Arnold S. Beckman, w/o Enc.

The Trust for Public Land, w/ Enc.

1614'hearne.ltr

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

The Trust for Public Land  
116 New Montgomery St., Suite 300  
Legal Department  
San Francisco, CA 94105

Mail Tax Statements to: above

---

GRANT DEED

---

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, **ARNOLD S. BECKMAN**, a married man, as his sole and separate property, and **CONWAY RANCH PARTNERSHIP**, a California general partnership (jointly, "Grantor") do hereby grant and convey to **THE TRUST FOR PUBLIC LAND**, a California nonprofit public benefit corporation ("Grantee") that certain real property in Mono County, California, described on Exhibit A attached hereto and incorporated herein by this reference (the "Property").

TOGETHER WITH all rights, title and interest to 18.0 cubic feet per second ("cfs") of water annually which is an allocated proportion of the pre-1914 appropriative and adjudicated water rights as confirmed and adjudicated pursuant to the Mono County Superior Court in Hydro Electric Company vs. J.A. Conway, et al., Judgment and Decree No. 2088 rendered by said Superior Court on June 17, 1915, but entered *nunc pro tunc* as of November 30, 1914 which awarded John A. Conway 14 cfs and F.D. Mattley 4 cfs, to waters flowing in Mill Creek for reasonable and beneficial purposes on the land referred to in said judgment and decree.

TOGETHER WITH all rights, title and interest to 6.0 cfs of water annually which is an allocated proportion of the pre-1914 appropriative water rights consisting of 2.56 cfs appropriated in 1860; 2.24 cfs appropriated in 1863; and 1.20 cfs appropriated in 1863, which rights were further confirmed and adjudicated by the United States District Court for the District of Nevada in United States vs. Walker River Irrigation, et al., Case in Equity, C-125, which final decree was entered April 14, 1936 and amended April 24, 1940, to waters flowing in Virginia Creek for reasonable and beneficial purposes on the lands referred to in said decree.

TOGETHER WITH any and all rights of Grantor herein, in and to all buildings, improvements and fixtures thereon, minerals, timber, grazing and other surface and

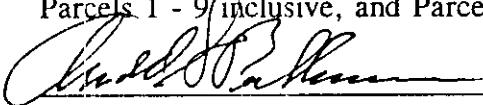
subsurface rights, permits, easements, water, water rights, water appropriations, ditches, ditch rights-of-way and ditch rights as heretofore used and enjoyed in connection with the Property.

TOGETHER WITH all tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues, and profits thereof.

IN WITNESS WHEREOF, Grantor has executed this instrument this 16<sup>th</sup> day of January, 1998.

**GRANTOR:**

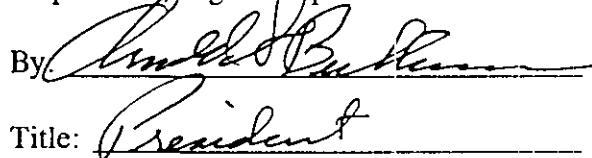
ARNOLD S. BECKMAN, a married man as his sole and separate property, as to Parcels 1 - 9 inclusive, and Parcel 12

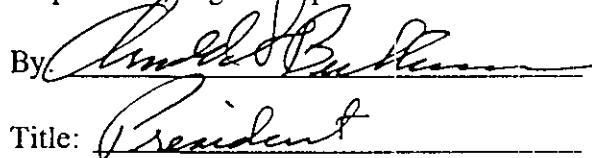


Arnold S. Beckman

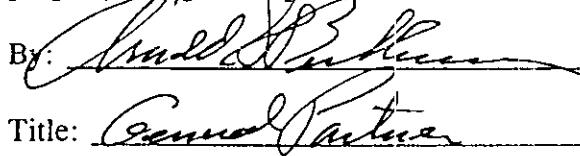
CONWAY RANCH PARTNERSHIP, a California general partnership, as to Parcels 10, 11 and 13

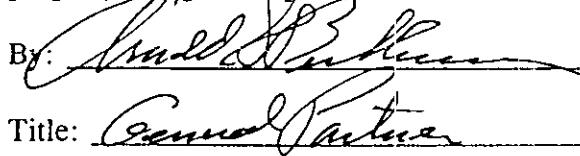
By: ARNOLD S. BECKMAN  
DEVELOPMENT, INC., a California corporation, a general partner



By:   
Title: President

By: ARNOLD S. BECKMAN, a married man, as his sole and separate property, as general partner



By:   
Title: General Partner

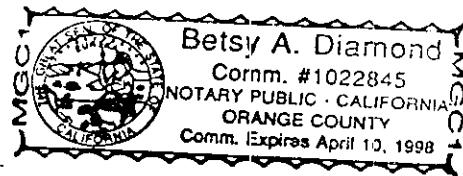
### Acknowledgment

State OF California)  
County of Orange)ss.

On this 16<sup>th</sup> day of January, 1998, before me, Betsy A. Diamond, a notary public, personally appeared Arnold S. Beckman personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Public

My commission expires April 10, 1998



PARCEL 1:

# EXHIBIT A

Case 3:73-cv-00128-RCJ-WGC Document 354 Filed 08/16/00 Page 219 of 233

THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 NORTH, RANGE 25 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 NORTH, RANGE 25 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ALL ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE.

EXCEPT THE EASTERNLY 63.42 FEET OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 1.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO THE STATE OF CALIFORNIA IN THE DEED RECORDED MARCH 29, 1961 IN BOOK 50 PAGE 224 OF OFFICIAL RECORDS.

PARCEL 2:

THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 26 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 6; THENCE SOUTH  $89^{\circ}04'40''$  EAST ALONG THE NORTH LINE OF SAID SECTION 6, A DISTANCE OF 84.773 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH  $89^{\circ}04'40''$  EAST ALONG THE NORTH LINE OF SECTION 6, A DISTANCE OF 1227.027 FEET TO THE NORTHEAST CORNER OF SAID WEST HALF OF THE NORTHWEST QUARTER OF SECTION 6; THENCE SOUTH  $0^{\circ}39'04''$  WEST ALONG THE EAST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER OF SECTION 6, A DISTANCE OF 2645.46 FEET TO THE SOUTHEAST CORNER OF SAID WEST HALF OF THE NORTHWEST QUARTER OF SECTION 6; THENCE NORTH  $88^{\circ}54'33''$  WEST ALONG THE SOUTH LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER OF SECTION 6, A DISTANCE OF 613.563 FEET; THENCE NORTH  $0^{\circ}39'07''$  EAST, A DISTANCE OF 1961.30 FEET; THENCE NORTH  $88^{\circ}54'33''$  WEST PARALLEL TO THE SAID SOUTH LINE OF THE SAID WEST HALF OF THE NORTHWEST QUARTER OF SECTION 6, A DISTANCE OF 613.526 FEET; THENCE NORTH  $0^{\circ}39'10''$  EAST PARALLEL TO THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 680.55 FEET, THE TRUE POINT OF BEGINNING.

PARCEL 3:

THAT PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 26 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION 6, SAID POINT BEING SOUTH  $89^{\circ}04'40''$  EAST, A DISTANCE OF 84.773 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 6; THENCE SOUTH  $89^{\circ}04'40''$  EAST ALONG SAID NORTH LINE OF SECTION 6, 1227.027 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 6; THENCE SOUTH  $0^{\circ}39'04''$  WEST, ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 6, 684.16 FEET; THENCE NORTH  $88^{\circ}54'33''$  WEST, 1227.052 FEET; THENCE NORTH  $0^{\circ}39'10''$  EAST, 680.55 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

THE EASTERNLY HALF OF THE WESTERLY HALF OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 26 EAST, M.D.B.&M., COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF FILED IN THE DISTRICT LAND OFFICE ON DECEMBER 17, 1857.

PARCEL 5:

THE WESTERLY 84.773 FEET OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 26 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE.

PARCEL 6:

THE EAST 1189.987 FEET OF THE WEST 1274.76 FEET OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 26 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE.

PARCEL 7:

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 26 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE.

EXCEPT THE WEST 1274.76 FEET OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 31.

PARCEL 8:

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 25 EAST M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO THE STATE OF CALIFORNIA IN THE DEED RECORDED MARCH 29, 1961 IN BOOK 50 PAGE 224 OF OFFICIAL RECORDS.

PARCEL 9:

THE EAST HALF OF THE NORTHWEST QUARTER, THE WEST HALF OF THE NORTHEAST QUARTER AND THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 26 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE.

PARCEL 10:

THE SOUTHWEST QUARTER AND THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 26 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THAT PORTION LYING WITHIN TRACT NO. 34-13 AS PER MAP RECORDED IN BOOK 9 PAGES 53 TO 53H OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALSO, EXCEPT THAT PORTION CONVEYED TO JOHN R. FREDERICKSON, ET. UX. BY DEED RECORDED MARCH 28, 1994 IN BOOK 676 PAGE 476 OF OFFICIAL RECORDS.

PARCEL 11:

THE EASTERNLY 63.42 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 NORTH RANGE 25 EAST, M.D.B.&M., IN THE COUNTY OF MONO,

STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

PARCEL 12:

THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 25 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

PARCEL 13:

LOTS A, B, 5 THROUGH 14, INCLUSIVE, 17 THROUGH 21 INCLUSIVE AND LOTS 24 THROUGH 108, INCLUSIVE, IN TRACT 34-13, IN BOOK 9, PAGES 53 TO 53 H. INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

**WILLIAMS**

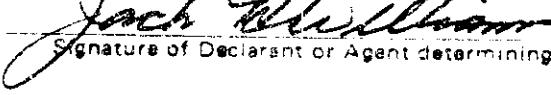
R. & MRS. JACK H. WILLIAMS  
209 William Way  
Oseville, CA 95678

PAGE 2 OF 2 - THIS IS A DOCUMENTARY TRANSFER TAX STATEMENT

DOCUMENTARY TRANSFER TAX \$...none 

..... Computed on the consideration or value of property so

.... Computed on the consideration or value less liens or encumbrances remaining at time of sale.

  
Signature of Declarant or Agent determining tax - Firm

## GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
ACK H. WILLIAMS AND EVANGELINE A. WILLIAMS, husband and wife

hereby GRANT(S) to JACK H. WILLIAMS AND EVANGELINE A. WILLIAMS, Trustees, for the  
WILLIAMS REVOCABLE LIVING TRUST

real property in the City of  
County of Lyon

, State of ~~California~~ des  
Nevada

Block 10 as shown on the Official Map of WALKER RIVER RANCH INC., Filed in the office of  
County Recorder of Lyon County, Nevada, on June 5, 1972, as File No. 10568.

March 20, 1989

  
JACK H. WILLIAMS

**WRIGHT**

Kelli Peterson DEPUTY

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF LYON

the Matter of the Estate of  
**HARRY GLENN FULSTONE,**  
**A GLENN FULSTONE,**  
Deceased.

ORDER APPROVING FINAL  
ACCOUNT OF ADMINISTRATION  
AND DECREE OF DISTRIBUTION

VIVIAN D. FULSTONE, the duly appointed, qualified and acting Administratrix of the ESTATE OF HARRY GLENN FULSTONE, AKA ~~HARRY~~ FULSTONE, having heretofore filed her first and final account of her administration, together with a petition for distribution, and the same having come on regularly to be heard this day, and the Court having found that notice of the time and place of hearing said matters has been given according to statute therefor provided, and that said account is in all respects true and correct;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. That the first and final account and report of administration be, and the same hereby are, approved, allowed and settled.
2. That all acts of the Executrix during the administration of said estate be, and the same hereby are, ratified and confirmed.
3. That the agreement between the Executrix and WILLIAM C.

tate be, and the same hereby is, ratified and confirmed, and petitioner be, and she hereby is, authorized and directed to pay the sum of **FIVE THOUSAND DOLLARS (\$5,000.00)** to the said **WILLIAM C. SAMPORD, JR.**

4. That pursuant to NRS 134.040, there is hereby distributed to **VIVIAN D. FULSTONE**, the surviving spouse of decedent, to **GLENORA P. WRIGHT** and **JAMES H. FULSTONE**, the issue of decedent, an undivided one-third (1/3) interest each in and to the separate property of decedent, being a 40 acre parcel located in Lyon County, Nevada, more particularly described as follows, to wit:

The NW 1/4 of the NW 1/4 of Section 35,  
Township 11 North, Range 23 East, M.D.B.&M.

5. That there is hereby confirmed to **VIVIAN D. FULSTONE**, as the surviving widow of decedent, one-half (1/2) of the community property.

6. That there is hereby distributed to **VIVIAN D. FULSTONE**, **GLENORA P. WRIGHT** and **JAMES H. FULSTONE**, an undivided one-third (1/3) interest each of decedent's interest, or one-sixth (1/6) interest each of the whole thereof, in and to the following described property, to wit:

Township 11 North, Range 23 East, M.D.&M.

PARCEL I:

West 1/2 and West 1/2 of the Southeast 1/4 Section 26;

PARCEL II:

B. That certain parcel of land deeded to Norman Gaustad Et ux recorded in Book 41 at Page 559, Lyon County, Nevada, deed records described as:

Beginning at the northeast corner of the parcel, on the westerly side of Colony Highway, from which the East one quarter corner of said Section 27 bears N.  $53^{\circ}01' E.$ , 1211.50 feet; thence the boundary of the parcel runs along the westerly side of the Colony Highway S.  $27^{\circ}24' W.$ , 543.52 feet to the beginning of a curve, thence along the curve to the left, with a radius of 1050 feet, through an angle of  $6^{\circ}28'$  for a length of 118.33 feet; thence along the old Colony road N.  $0^{\circ}56' W.$ , 585.98 feet; thence N.  $89^{\circ}04' E.$ , 307.16 feet to the point of beginning. Being in the NE 1/4 of the SE 1/4 of Section 27.

C. That certain parcel of land deeded to JAMES H. FULSTONE et ux recorded January 17, 1972, as Official Record #09183 described as:

Beginning at the east one-quarter corner of said Section 27; thence along the east-west one-quarter line S.  $89^{\circ}11'48'' W.$ , 481.43 feet; thence along the easterly right of way line of the Colony Highway S.  $27^{\circ}24'00'' W.$ , 289.36 feet; thence N.  $89^{\circ}11'48'' E.$ , 618.18 feet thence N.  $0^{\circ}48'12'' W.$ , 255.00 feet along the east line of said Section 27 to the point of beginning.

D. That certain parcel of land deeded to DAVID S. SEAL, et ux recorded December 31, 1973 as Official Record #17328 described as:

Beginning at the southeast corner of the parcel on the westerly right of way line of Colony Highway from which the east one-quarter corner of said Section 27 bears North  $72^{\circ}04' E.$ , 745.17 feet; thence along said highway right of way line North  $27^{\circ}24' E.$ , 244.99 feet; thence South  $89^{\circ}04' W.$ , 688.30 feet; thence South  $0^{\circ}56' E.$ , 210.80 feet; thence North  $89^{\circ}04' E.$ , 574.06 feet to the point of beginning.

7. That the entire rest and residue of decedent's estate,

THIS DEED executed this 3rd day of June, 1985, by and between VIVIAN D. FULSTONE, as Administratrix of the ESTATE OF HARRY GLENN FULSTONE, AKA GLENN FULSTONE, herein-after referred to as Grantor, and VIVIAN D. FULSTONE, GLENORA P. WRIGHT and JAMES H. FULSTONE, hereinafter referred to as Grantees.

W I T N E S S E T H:

Pursuant to Order of the Third Judicial District Court of the State of Nevada, in and for the County of Lyon, entered June 3, 1985, and in consideration of the sum of Ten Dollars (\$10.00) to her in hand paid, receipt whereof is hereby acknowledged, the Grantor hereby GRANTS, BARGAINS, SELLS AND CONVEYS to the Grantees, their heirs and assigns forever, an undivided one-third (1/3rd) interest each in and to that certain property situate in Lyon County, Nevada, and more particularly described as follows, to wit:

The NW 1/4 of the NW 1/4 of Section 35,  
Township 11 North, Range 23 East, M.D.B.&M.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD an undivided one-third (1/3rd) interest each with all of the appurtenances unto the Grantees, their

NP11-? Xermyt

Ac #3

## **ADMINISTRATRIX' DEED**

**THIS DEED** executed this 3rd day of June  
1985, by and between **VIVIAN D. FULSTONE**, as Administratrix  
the **ESTATE OF HARRY GLENN PULSTONE, AKA GLENN PULSTONE**, here-  
after referred to as Grantor, and **VIVIAN D. FULSTONE, GLENN  
P. WRIGHT** and **JAMES H. PULSTONE**, hereinafter referred to  
Grantees.

**W I T N E S S S E T H:**

Pursuant to Order of the Third Judicial District Court  
the State of Nevada, in and for the County of Lyon, ent.  
June 3, 1985, 1985, and in consideration of the  
of Ten Dollars (\$10.00) to her in hand paid, receipt whereo:  
hereby acknowledge, the Grantor hereby **GRANTS, BARGAINS, S**  
**AND CONVEYS** to the Grantee, their heirs and assigns forever  
undivided one-sixth (1/6th) interest each in and to that cer  
real property situate in Lyon County, Nevada, and more part  
larly described as follows, to wit:

Township 11 North, Range 23 East, M.D.&M.

**PARCEL I:**

West 1/2 and West 1/2 of the Southeast 1/4 Section 26;

**PARCEL II:**

**Northeast 1/4 of the Northeast 1/4 Section 34:**

**WARRANTY DEED**

GLENORA F. WRIGHT, dealing with her sole and separate property and LEE C. WRIGHT III her husband, Grantors, hereby convey, grant and warrant to "The Lee & Glenora Wright Family Trust", a trust established under the laws of the State of Idaho by an agreement dated March 24, 1986, of which the present Trustee is Lee C. Wright III and Glenora F. Wright, whose current address is Route #1, Box 1838, Fruitland, ID 83619, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described real property, to wit:

**TRACT 1:**

An undivided one-third (1/3 interest in and to the following described real property, to wit:

The NW1/4 of the NW1/4 of Section 35, Township 11 North, Range 23 East, M.D.B.& M., Lyon County, Nevada.

**TRACT 2:**

An undivided one-sixth (1/6) interest in and to the following described real property, to wit:

Township 11 North, Range 23 East, M.D.& M.

**PARCEL 1:** West 1/2 and West 1/2 of the Southeast 1/4 Section 26;

**PARCEL 2:** Northeast 1/4 of the Northeast 1/4 Section 34;

**PARCEL 3:** East 1/2 of the Southeast 1/4 of Section 27, EXCEPTING THEREFROM the following described parcels of land in Section 27:

A. Parcels 1 and 2 according to that certain parcel map filed of record in the office of the County Recorder, Lyon County, Nevada as official Record Number 45193.

B. Beginning at the northeast corner of the parcel, on the westerly side of Colony Highway, from which the East one quarter corner of said Section 27 bears N.  $53^{\circ}01'$  E., 1211.50 feet, thence the boundary of the parcel runs along the westerly side of Colony Highway S.  $27^{\circ}24'$  W., 543.52 feet to the beginning of a curve, thence along the curve to the left, with a radius of 1050 feet, through an angle of  $6^{\circ}28'$  for a length of 118.33 feet; thence along the old Colony Road N.  $0^{\circ}56'$  W., 585.98 feet; thence N.  $89^{\circ}04'$  E., 307.16 feet to the point of beginning. Being in the NE 1/4 of the SE 1/4 of Section 27.

C. Beginning at the east one-quarter corner of said Section 27; thence along the east-west one-quarter line S.  $89^{\circ}11'48''$  W., 481.43 feet; thence along the easterly right of way line of the Colony Highway S.  $27^{\circ}24'00''$  W., 289.36 feet; thence N.  $89^{\circ}11'48''$  E., 618.18 feet thence N.  $0^{\circ}48'12''$  W., 255.00 feet along the east line of said Section 27 to the point of beginning.

D. Beginning at the southeast corner of the parcel on the westerly right of way line of Colony Highway from which the east one-quarter corner of said Section 27 bears North  $72^{\circ}04'$  East, 745.17 feet; thence along said highway right of way line North  $27^{\circ}24'$  East, 244.99 feet; thence South  $89^{\circ}04'$  West, 688.30 feet; thence South  $0^{\circ}56'$  East, 210.80 feet; thence North  $89^{\circ}04'$  East, 574.06 feet to the point of beginning.

SUBJECT TO taxes and assessments for the year 1986 and all subsequent years, together with any and all existing easements and rights of way of record.

TO HAVE AND HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that said premises are free from all incumbrances, excepting those as may be hereinafter set forth, and excepting those of record, and that they will warrant and defend the same from all lawful claims whatsoever.

**ZWEIBEL**

order No. TSL-21145  
Document Transfer Tax \$390.00  
.PN 12-062-23

Mail Tax Bill to Grantee:  
123 Mackenzie Lane  
Yerington, NV 89447

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby  
acknowledged

SHARON SPRINGER, SANDRA HOLLANDS and SUSAN ELLSWORTH

do hereby GRANT, BARGAIN and SELL TO

TRADE RANCHES, INC., a Nevada Corporation

the real property situate in the County of Lyon, State of Nevada,  
described as follows:

All that certain real property being a portion of the S 1/2 of the  
NW 1/4 and of the N 1/2 of the SW 1/4 of Section 23, T 13 N, R 25  
E, M.D.B.&M., Lyon County, Nevada, described as follows:

Parcel 1, as shown on the Parcel Map for A.J. and Amy Zwiebel,  
recorded in the Official Records of Lyon County, Nevada on February  
12, 1980, as Document No. 51625.

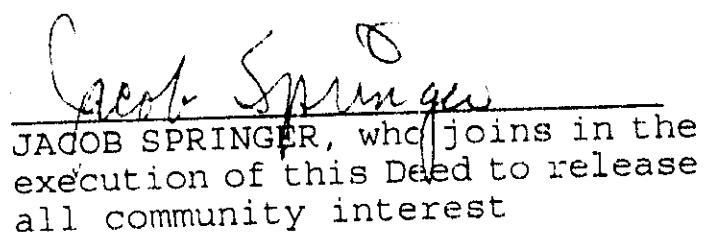
Together with all water, water rights, ditches and ditch rights.

TOGETHER WITH all tenements, hereditaments and appurtenances  
thereunto belonging or in anywise appertaining, and any reversion,  
remainders, rents, issues or profits thereof.

DATED 02-09-00

  
SHARON SPRINGER

SEAL AFFIXED  


  
JACOB SPRINGER, who joins in the  
execution of this Deed to release  
all community interest